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INTERNATIONAL EDITION

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FRIDAY JUNE 19 1992

45p

Botham passes fitness check

BY ALAN LEE
CRICKET CORRESPONDENT

Jack said and able of blisters. I think we're the which with a lot of scrum taking. It has been a difficult year. Botham, coming back from the ban, is still such as the radio commanded by a man I enjoyed one of his lines in the 1978 Test against South Africa.

Botham won 100 runs and 120 wickets in a year. Botham, coming back from the ban, is still such as the radio commanded by a man I enjoyed one of his lines in the 1978 Test against South Africa.

The custom of an off-day, when you're allowed to have a rest before a Test, has been dropped. I think it's been dropped all week, but Botham will recover in time for the start of his tour. We will see that he is fit in the morning. I am sure he will be fit.

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The arm of the law: Kevin Maxwell being escorted from Snow Hill police station before being taken to City of London magistrates court yesterday

Unemployed total rises

There were bitter exchanges in the Commons at question time over the latest unemployment figures, which showed a rise of 21,300 last month.

The prime minister said that the rise, which pushes unemployment to more than 2.7 million for the first time in five years, was very unwelcome but pointed out that the rate of increase was slowing, suggesting that Britain was on the road to recovery. Page 6

Lloyd's poised for litigation

Lloyd's of London is bracing itself for a wave of litigation after refusing to bail out stricken names with an emergency rescue package. Brokers and underwriters are being asked to contribute to a new fund which will provide an income for names facing ruin. Lloyd's plan to cap members' losses at a maximum of £2.4 million. Page 19

Squatters die

Members of the Inkatha Freedom party were blamed for violence in which about 200 men armed with guns and axes killed at least 34 people, including women and children, in a night rampage through a black South African squatter camp near Johannesburg. Another 11 people were wounded. Page 11

Test struggle

Waqa Younis took five England wickets for 91 as Pakistan dismissed England for 255 on the first day of the second Test. Only Gooch, with 69 and Stewart with 74 put up any real resistance. Pages 30, 32

Test struggle

Labour's behaviour in the past few days suggested that it was in grave danger of sleep-walking into further defeat. Bryan Gould said last night:

Mr Gould, who is vying with John Smith for the party leadership, said that recent events confirmed their judgment that they were right to reject Labour on April 9. He said that the argument about the campaign was a

massive diversion. Mr Gould was speaking in Leeds after Labour's ruling national executive had held a restrained four and a half hour inquest into the party's fourth election defeat.

Trying to bury the bitterness of recent days, members agreed that the election campaign could not be blamed for a defeat at the heart of which lay a public lack of trust in Labour. There was

agreement with the view of Neil Kinnock, who stands down on July 18, that Labour has still failed to live down its past divisions. "Although we are only talking about a small section of the population, we are talking about a crucial section of the electorate who felt that as yet they could not trust us," Mr Kinnock said.

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Germans take up hooligan mantle

FROM JOHN GOODBODY
IN STOCKHOLM

AS THE last England soccer followers began leaving Sweden yesterday, German fans continued the hooliganism that has marred the European Championship by rampaging through Gothenburg before their country's game against Holland last night.

Up to 200 of the estimated 15,000 German supporters attacked Dutch fans by throwing fireworks and bottles, and smashed car and shop windows. They pelted riot police with stones.

Police in Gothenburg said that five Swedes had been injured in the fighting and that buses and trams had been taken off the streets to prevent their windows being broken. Police adopted the same strategy as against the England fans by dividing the mob into smaller groups and moving in to arrest suspected ringleaders.

Four years ago, at the last European championship, the Germans sometimes began the fighting that led to nearly 800 people being arrested, including 394 English. At the 1990 World Cup, the Germans committed perhaps the most savage assaults of the competition during one outbreak in Milan and also fought the English before and after their semi-final in Turin.

After the fighting here on Wednesday night, which led to 32 English and 28 Swedes being arrested, police went to a campsite early yesterday holding about 300 supporters and individually screened them all before they left the city. They were compared with photographs and video pictures taken of the disturbances. Five more English were arrested.

Gosta Welandar, deputy police commissioner of Stockholm, said that his officers were "not used to dealing with people like these English hooligans. Although my officers have been training for several months, it was a shock to meet them face to face."

"The Scottish have behaved extremely well and are very happy. It is strange that, in one island, two groups of people can behave so differently."

However, Bo Nilsson, in charge of the officers in the street fighting in Stockholm, said: "The hooliganism was no worse than what occurs routinely in Stockholm, with youths walking through the city centre smashing windows and overturning concrete flower pots. The damage was no more than for a normal Friday or Saturday night."

Stuart Jones, page 31



Meeting his match: a handcuffed England fan is held by Swedish riot police in Stockholm after the fighting on Wednesday night

Bottomley endorses a new status for alternative medicine

BY ALISON ROBERTS

ALTERNATIVE medicine took a step closer to respectable medical status yesterday and may soon be regularly offered alongside orthodox treatments.

A new umbrella organisation, endorsed by Virginia Bottomley, the health secretary, and cautiously welcomed by the British Medical Association, was launched at the House of Commons with plans to register and accredit its 20,000 therapist members.

The new British Complementary Medicine Association (BCMA) wants to see alternative therapies integrated into conventional health care provision so that patients will be offered a choice between the two within one practice. Since April, GPs have been able to refer patients to alternative therapists for treatment on the NHS, provided that doctors remain clinically accountable.

Family Health Services Authorities have agreed to reimburse 60 per cent of the therapists' fees, and fund health promotion clinics.

The BCMA sees this as an opportunity to build on public interest. It represents 40 branches of complementary medicine, from osteopathy and chiropractic to crystal healing, reflexology and hypnotherapy. Lord Ennals, the association's president, said each therapy was being encouraged to agree standards of education, training and practice.

A code of conduct for practitioners, drawn up by the organisation and backed by a disciplinary procedure, covers advertising, medical ethics and patient-doctor relations. It says that alternative therapists must not countmand prescriptions given by a doctor, nor are they qualified to give diagnoses.

Lord Ennals said: "I think they are being extremely optimistic if they think that many GPs are going to rush out and call on their local therapists. I think you have to be cautious about accepting this as a move forward. I am not convinced that it is a major advance."

Professor Payne said that some branches of alternative medicine, in particular osteopathy, had organised training courses and colleges. Others, such as hypnotherapy, were still unregulated and patients should use practitioners with caution.

Alternative therapies become more popular every year. Last year an estimated 70,000 patients visited complementary medicine practitioners every week, 78 per cent for musculoskeletal disorders.

One in three of the patients went to alternative therapists without seeing a medical doctor first.

Susan Horsewood-Lee is a GP who makes full use of a list of therapists practising in west London. She invited each practitioner to see her before referring patients. About ten patients a week are sent to aromatherapists, masseurs, osteopaths and nutritional counsellors. "Patients would always much rather have natural therapies than drugs," she said.

Health, L&T section, page 4

Moves to lift GPs' 24-hour burden

BY JEREMY LAURANCE,
HEALTH SERVICE
CORRESPONDENT

HEALTH department ministers are considering offering concessions to family doctors angry about the burden of providing 24-hour cover for their patients. Virginia Bottomley, the health secretary, is understood to be "not unsympathetic" to their while remaining opposed to radical change.

The concessions could include an easing of the restrictions on the use of depuiting services for night calls, which would reverse the policy of the last ten years. Other possibilities include a survey of night calls to determine the extent of the burden and a campaign to discourage patients from making unnecessary demands at night.

GPs are expected to vote to opt out of providing round the clock cover at their annual conference next week. BMA leaders want responsibility for cover to be given to Family Health Service Authorities.

However, such a move, as well as being unwelcome to the government, carries risks for the GPs whose status as self-employed independent contractors depends on their nominally providing a 24-hour service.

Requiring them to retain responsibility while easing the amount of out-of-hours work could provide a compromise, ministers believe. But this would be a change in the prevailing orthodoxy that patients are better looked after by their own doctor or one who knows them.

Leading article, page 15

Reynolds confident Irish will vote yes

BY EDWARD GORMAN,
IRELAND CORRESPONDENT

THE people of Ireland went to the polls yesterday to deliver a verdict on European union which could be instrumental in either resurrecting or killing off the Maastricht process after the defeat of the treaty in Denmark.

Albert Reynolds, the prime minister, who held talks with António Cavaco Silva, the Portuguese prime minister, over lunch at government buildings in Dublin, said he was not expecting a victory for the no campaign.

"We are quite confident that the Irish people, with their innate commonsense, will have weighed up the pros and cons ... and will see clearly that the balance of advantage lies with a yes vote," he said.

As expected, the turnout was low, particularly in the rural west, and was likely to be no more than 55 per cent. In the absence of exit polls, and with counting on a constituency basis not beginning until this morning, the first reliable indication of the result will not come before lunchtime today, with the final figures expected some time between 5pm and 7pm.

Recent opinion polls have shown a comfortable lead for the yes campaign. The leaders of the main opposition parties, which have come together on a joint platform with the government for the referendum, also predicted the treaty would be endorsed. They made last-minute attempts to win over the estimated 23 per cent of the 2.5 million voters still undecided on the eve of polling, emphasising that fees over abortion should not be confused with the substantive political and economic issues at the heart of the treaty.

John Bruton, the leader of Fine Gael, said that a no vote would risk Ireland becoming isolated in Europe and again dependent on the British economy.

The opponents also kept up the pressure. Proinsias de Rossa, leader of Democratic Left, said the slide in the yes vote over recent weeks had not been halted and the no campaign would carry the day by a margin of 51 to 49.

NEWS IN BRIEF

Laura Davies has second operation

Laura Davies, the four-year-old from Eccles, Greater Manchester, who had a liver and bowel transplant in the United States eight days ago, underwent a second exploratory operation at the Children's Hospital in Pittsburgh yesterday (Ben Macintyre reports from New York).

The hospital said that doctors had detected high levels of bilirubin, a waste product, in her bloodstream, an early indication of a liver malfunction. Doctors became concerned when Laura's skin began to turn yellow and she complained of nausea but they said the need for another operation was "a minor setback".

□ The Princess of Wales has given a "modest" personal contribution to the Laura Davies Appeal which is paying for the double transplant, it was disclosed yesterday. The donation was promised in a letter received by Laura's parents on May 29, the day before they left for Pittsburgh. Katie Doyle, North Western Regional Health Authority spokeswoman, said the princess's secretary Patrick Jephcott wrote to say that Laura was in her thoughts.

Fire at nuclear plant

A fire broke out at the Hunterston B nuclear power station on the Ayrshire coast while maintenance work was being carried out on one of the reactor boilers yesterday. Scottish Nuclear said that nobody was injured and the fire was put out by its fire fighting staff. The fire started just after 6am when sparks from cutting equipment apparently ignited. Everyone was evacuated from the area and the pressure vessel containing the boiler was closed. The company said that the unit was not operating, having been shut down 11 weeks ago for routine maintenance. No nuclear material was involved and there was no offsite release of airborne radioactivity. Scottish CND said that although the reactor was shut down, it was believed that there was fuel inside and that the fire was 25ft from the core.

11 hurt in train crash

Eleven people were slightly hurt yesterday when a diesel locomotive reversed into the front of a passenger train. The accident happened behind Stepping Hill maternity hospital at Stockport, Cheshire. The injured, who were on the Manchester to Grimsby train, were released from Stockport infirmary after treatment for cuts and bruises. A British Rail spokesman said quick thinking by the two drivers helped avert a possible tragedy. The locomotive was travelling "at slow speed" towards the passenger train when the train driver saw it approaching. "He stopped the train and went into the carriage and ushered the passengers to the rear. The loco driver jumped clear just before the impact."

Sellafield water worry

Sellafield might not be a suitable site for the repository of nuclear waste because it has an upward flow of ground water which might bring water contaminated by the nuclear waste to the surface, says a report for Cumbria County Council by consultants from Environmental Resources. "The present limited data and the lack of inter-borehole testing is a major deficiency in testing the suitability of the site," the report says. The leaders of the three political parties on the council issued a statement yesterday saying that the report reinforced the council's concerns and emphasised the need for delay until all the facts were known. The waste authority Nirex welcomed the report, which it said confirmed its own position that there was a need for further research into the hydrogeology of the area.

Island for sale at £12 m

An island which is home to one woman, 80,000 rabbits and a colony of grey seals is for sale at £150,000. The 625 acre Ramsey Island, left, off the Welsh coast, is part of Pembrokeshire National Park and is owned by a family trust. Sue Ward, the island manager, said: "It is great taking visitors around but the best time is when they have gone home and it is just me."

English chess disaster

The World Chess Olympics in the Philippines is rapidly turning into a disaster for England's new team captain, Michael Stean (Raymond Keene writes). Whatever team he leads in Manila seems destined for calamity. After losing to Iceland by 3-1 in round nine, England went on to a 2-2 draw with little-favoured Italy, a team with only one grand master in its line up. Nigel Short capped events by losing to Garcia Palermo while the British champion Julian Hodgson lost his game to Braga. England, which was seeded second and has a team of powerful grand masters, now has 22½ points, is placed around 20th in the competition, and is heading for its worst performance in the Chess Olympics since 1970. Russia leads with 29½ points plus one adjourned game. Four rounds are still to be played.

Salmonella outbreak

Nineteen cases of salmonella poisoning were confirmed yesterday in an outbreak traced to egg sandwiches bought in a health food store. Thirty-nine people are so far known to have fallen ill but 20 cases have yet to be confirmed as salmonella poisoning. The outbreak in Haverfordwest, Dyfed has been traced to a shop in the Welsh town.

Murder case remains

Two men accused of murdering Special Constable Glenn Goodman were remanded in custody yesterday for four weeks. Paul Patrick Magee, 42, and Michael O'Brien, 28, who were arrested in Pontefract, West Yorkshire, a week ago, were remanded by Old Thames magistrates, east London, until July 16. The pair are also charged with the attempted murder of PC Alexander Kelly, 32, at Headley Bar, North Yorkshire. Reporting restrictions were not lifted.

Divorce
great
trial ma
coup

Pension
fund to
sell land

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YOUR HOME IS AT RISK IF YOU DO NOT KEEP UP REPAYMENTS ON A MORTGAGE OR OTHER LOAN SECURED ON IT.

Stonehenge's ley lines lose their magic

Ray Clancy finds that, after the troubles of recent years, Stonehenge is becoming less of a magnet for travellers

that they, too, were avoiding Stonehenge. "The trouble is the ravers — local town people who head for festival sites just to cause trouble," said Bod, 24, who is travelling with six others through Somerset down towards Lyme Regis in Dorset for a few days by the seaside. "We are boycotting Stonehenge this year. It is no fun, so there is no point in going there just to get beaten up."

Asked if he meant that the police had succeeded in their annual attempt to keep people away from the ancient monument, he replied: "No, because there will still be the ravers. They will still try to cause trouble. We keep away because we respect the countryside. We don't want to muck it up."

His girl friend Michelle, 22, said that she gets angry when travellers

are described as dirty no-gooders. Yesterday she carefully washed her face and hands before setting off for the nearest unemployment benefit office to collect her weekly dole payment.

Her group of travellers like to think that they could be self-sufficient. They have five hens which lay eggs every day and run around in a makeshift pen on the grass. Their menagerie also includes two chickens "rescued" from a battery farm and several dogs, all friendly, who lie around in the shade under the trees.

Michelle showed off her spotless caravan. Her bed had a freshly laundered blue sheet and a stylish fur rug for extra warmth in the winter. "We do care about the environment. We don't leave rubbish behind and we try to be kind to other road users,"

she said. The group has a saw and an axe for chopping wood, tools for fixing their vehicles, and a large pot full of lettuce seedlings.

The police agree that the ravers are more likely to cause trouble than the travellers. "Ravers are well equipped with mobile telephones, fax machines and complicated communications systems. Organisers can direct vast numbers of people quickly to one site at the last minute. That is what we are up against," a Wiltshire police spokesman said.

Last night the only people anywhere near Stonehenge were security men and police officers enforcing the exclusion zone that lasts until Sunday. "The magic has gone from Stonehenge," Nobody really wants to go there any more," said Chris, 24, summing up the feelings of many travellers.

• In tomorrow's Saturday Review, Robert Crampton writes on the life of a group of new age travellers.

Fraud office power of investigation strengthened

BY FRANCES GIBB, LEGAL CORRESPONDENT

IN THE wake of the House of Lords ruling last week, Kevin and Ian Maxwell are unlikely to be able to rely on the defendant's traditional right to silence when questioned by the Serious Fraud Office in connection with charges brought yesterday.

Over the centuries, the principle has become rooted in law that defendants should not be placed at risk of incriminating themselves and should not therefore have to answer any questions, on the ground that the material could then be used against him.

Last week, however, the law lords unanimously allowed an appeal by the Serious Fraud Office, reaffirming the wide investigative powers of the office to compel people to answer questions or face the sanction of a fine or imprisonment.

The law lords' ruling overturned a High Court judgment in November that once someone had been charged with an offence he or she was entitled to the traditional right of silence and need not comply with the fraud office's extensive questioning of powers under section 2 of the Criminal Justice Act 1987.

The case was originally brought by a company director, Wallace Smith, chairman and managing director of Wallace Smith Trust Company, who maintained that once charged he was not obliged to answer the office's questions.

In the original action in the High Court, Lord Justice Nolan said that there was nothing in the 1987 act to suggest that the Serious Fraud Office could exercise its powers to investigate suspected serious or complex fraud without a caution where a person had

RIGHT OF SILENCE

already been charged. One lawyer in last week's case indicated that in his view it was still open to a defendant to refuse to answer questions. The solicitor to Wallace Smith, Charles Buckley of Garstang, said that in his view the ruling had indicated that the Serious Fraud Office could ask questions but had not clarified the circumstances in which a defendant might refuse to answer.

Most lawyers view the ruling glumly, regarding it as further a dent in the already eroded right to silence. Less attention has been paid to the powers of the Department of Trade and Industry investigators, who are looking into some of the associated aspects of the Maxwell pension funds enquiry and whose powers are even more extensive.

Diane Webber, a solicitor with the West End firm Woolf Seddon, who specialises in white-collar crime, said: "Little appears to be made of the fact that the powers of the DTI pose a far more serious threat to potential defendants than the powers of the SFO."

The department, she adds, also uses its powers of investigation far more frequently than does the Serious Fraud Office, which only looks into cases where the value of the fraud is more than £5 million.

In particular, she points out, answers to questions put by the department may be used as evidence at a subsequent trial, but answers to questions put by the fraud office may only be used if they are inconsistent with answers to questions given in court.

"One wonders if the next step won't be to chip away at this, and remove the inconsistency so that the SFO has the same powers as the DTI in this respect," she said.

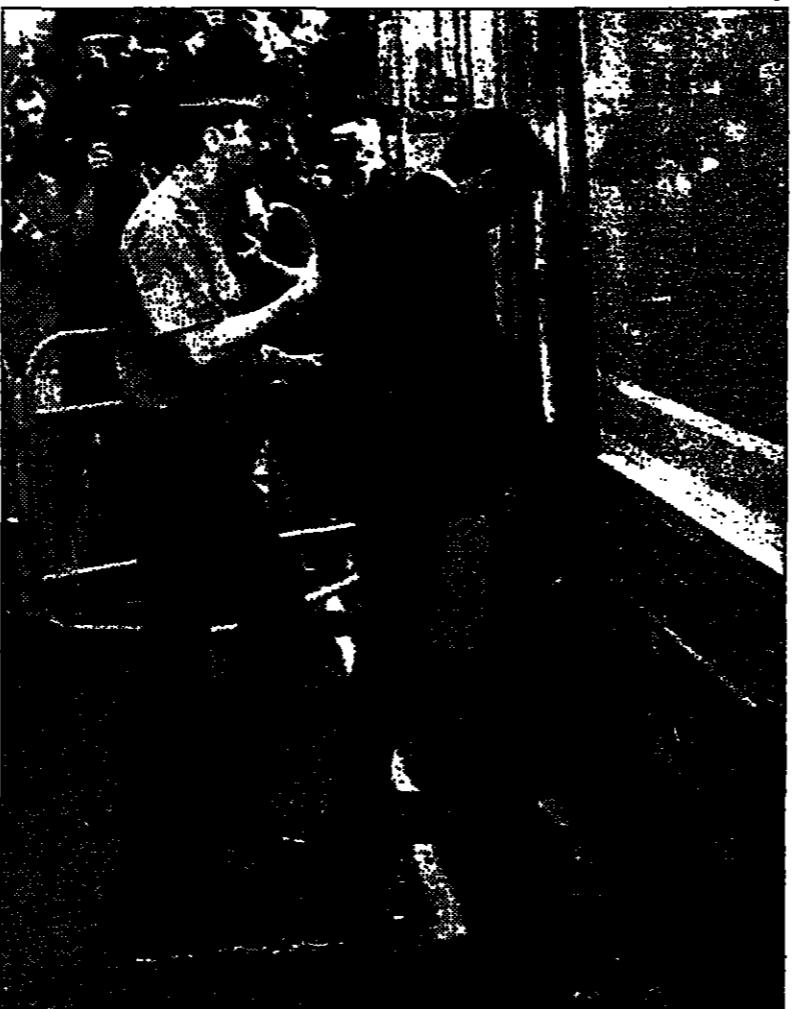
In the meantime, the right to silence is being examined by the Royal Commission on Criminal Justice. The commission is expected to recommend that the defence must disclose its case by a certain point before trial, although the right to remain silent in the police station or in the dock will be preserved.

The Serious Fraud Office was established in 1987 to investigate and prosecute cases of serious and complex fraud. Originally, only those cases involving more than £2 million were investigated.

Lord Justice Nolan
High Court ruling

CHRIS HARRIS

ALISTAIR GRANT



Eye of the storm: Kevin Maxwell braves the media crush to make a statement after leaving City of London magistrates' court yesterday (top). Earlier, his brother Ian (left) and Larry Trachtenberg leave Snow Hill police station and are put in a police van for the drive to court

Rudderless Mirror steams on regardless

AFTER lunch one afternoon, I returned to find Robert Maxwell sitting in my office. "I am editor of the *Daily Mirror* now," he beamed, winking at a City acolyte he had in tow. "There's nothing to it."

Since Maxwell's death on November 5, one has been entitled to ask what there is to being chairman of Mirror Group Newspapers. The *Daily Mirror* and its Sunday sister, the *Sunday Mirror* and *The People*, have continued to be published without any discernible hitch and in spite of huge upheavals on the management floors.

Ian Maxwell assumed the chairman's role for a month until voted off the board. Ernest Burrington took over and now has been forced to step down. The newspapers are

ownerless, with the administrator and the banks controlling their fate. Yet the journalists work on as normal, the advertising staff continue to bring in revenue and the group is, according to all reports, trading profitably.

To outsiders, this might seem extraordinary, given the emphasis Maxwell laid on his central role as "the publisher". To insiders, who traditionally view owners and managers as an expensive appendage, it is simply business as usual. In truth, although Maxwell falsely presented himself as the saviour of Mirror Group, the institution is greater than its owner.

The *Daily Mirror* — "my flagship" as Maxwell referred to it — has survived a chequered history. Founded in 1903 by Lord Northcliffe

The *Mirror* is surviving happily without its proud "saviour", writes its former editor Roy Greenslade

as a paper for "ladies of breeding", it soon founded for want of enough gentile women readers. Relaunched a year later as a picture paper, circulation took off and, by the time the paper passed to Northcliffe's brother, Lord Rothermere, it was a huge success. However, its fortunes declined under its new owner.

It was not until the 1940s that the *Mirror*, under its chairman Harry Guy Bartholomew, set itself on course to become Britain's biggest-selling daily. "Bar" honed

the paper into a popular, campaigning, irreverent tabloid, but was overthrown by Cecil King in 1951.

King hired Hugh Cudlipp as editor-in-chief and together they transformed the *Mirror* into the bible of the British working class. By 1964 it had reached a sale of five million, a record no other daily has come close to achieving since. In 1968, Cudlipp deposed King but, the next year, made a mistake by selling the ailing *Sun* (formerly the *Daily Herald*) to Rupert Murdoch.

This was to seal the fate of the *Mirror* as the new *Sun* gradually supplanted it in popularity. In the early 1980s, the *Mirror*'s owner, Reed, decided to offload the Mirror Group. Maxwell pounced in 1984 and would

ever after claim that he had saved the paper. To suggest that it required saving is akin to believing that a passer-by has saved a swimmer ankle-deep in a paddling pool by throwing him a lifeline.

It was one of Maxwell's many lies, although he believed it as sincerely as if it were the truth. Every current *Mirror* employee believes that the newspaper has run better without him.

However, the directors realise that this rudderless ship cannot sail on forever without a captain. A senior executive said: "There could be a revenue problem by the end of the year and we must consider raising the cover price. But who will make the final decision?" A colleague quipped: "Perhaps we should put in a call to the Mount of Olives."

"People who can afford to run a newspaper, and have the ego to want to run one, are probably not entirely trustworthy," another journalist said. "As long as they don't interfere too much with the newspaper nobody is going to object. We just want to get out of this mire and get on with our job of being a good newspaper with a political slant which is in marked contrast to all the others."

There was surprise and glee at the arrests. The journalists' fear had been that the pensioners would be the ones to pay the price for Maxwell's adventures. "At last there is the feeling that something is moving. Now we would like to see some real action against the banks," said one journalist. His colleagues nodded in agreement.

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Full list of charges facing the three men

The full charges faced by Kevin and Ian Maxwell and Larry Trachtenberg are as follows:

KEVIN MAXWELL

That you did, together with Larry Trachtenberg, on or about October 22, 1991, steal a portfolio of securities quoted on the International Stock Exchange to a value of £5,067,292.86, being the property of MGPT Ltd. Contrary to Section 1, Theft Act, 1968.

That you did, together with Larry Trachtenberg, between May 1, 1991, and December 10, 1991, conspired to defraud the Swiss Bank Corporation of £55,783,466.76 by dishonestly being party to the sale of securities belonging to First Tokio Index Trust Ltd which you knew was contrary to representations and warranties given to the said bank. Conspiracy to defraud contrary to common law.

That you did, together with Larry Trachtenberg, on or about October 31, 1991, steal a portfolio of securities quoted on the International Stock Exchange managed by Lloyds Investment Management Ltd to a value of £12,375,215, being the property of MGPT Ltd. Contrary to Section 1, Theft Act, 1968.

That you did, together with Larry Trachtenberg, on or about September 30, 1991, steal a portfolio of securities belonging to the First Tokio Index Trust Ltd, which you knew was contrary to representations and warranties given to the said bank. Conspiracy to defraud contrary to common law.

That you did, together with Larry Trachtenberg, on or about October 22, 1991, steal a portfolio of securities quoted on the International Stock Exchange managed by Lloyds Investment Management Ltd to a value of £7,009,056, being the property of MGPT Ltd. Contrary to Section 1, Theft Act, 1968.

That you did, between November 4, 1990, and November 9, 1990, steal £1 million Berlitz International Incorporated common stock shares, belonging to Macmillan Incorporated. Con-

THE CHARGES

trary to Section 1, Theft Act, 1968.

That you, together with Ian Maxwell and Larry Trachtenberg, between November 10, 1991, and November 14, 1991, conspired to defraud the Swiss Bank Corporation of £55,783,466.76 by dishonestly being party to the sale of securities belonging to First Tokio Index Trust Ltd which you knew was contrary to representations and warranties given to the said bank. Conspiracy to defraud contrary to common law.

That you did, together with Ian Maxwell, between September 30, 1991, and October 22, 1991, steal a portfolio of securities quoted on the International Stock Exchange managed by Lloyds Investment Management Ltd to a value of £12,375,215, being the property of MGPT Ltd. Contrary to Section 1, Theft Act, 1968.

That you did, together with Ian Maxwell, between November 10, 1991, and November 14, 1991, conspired to defraud the Swiss Bank Corporation of £55,783,466.76 by dishonestly being party to the sale of securities belonging to First Tokio Index Trust Ltd which you knew was contrary to representations and warranties given to the said bank. Conspiracy to defraud contrary to common law.

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Party unease forces Ashdown to go slow over left alignments

By JILL SHERMAN, POLITICAL CORRESPONDENT

PADDY Ashdown has been forced to go slow on his plans for a realignment with the left in the wake of the Conservative general election victory.

Following criticism from the party's grass roots that he had forged ahead with his ideas for the future of the party without consulting them, the Liberal Democrat leader has gone out of his way to explain his position and to obtain their views.

In a letter sent to all members this week he makes clear that he is not advocating a pact with Labour but is still keen to explore common areas where opposition parties can work together. He sets out proposals for a pluralistic democracy and asks for members' reactions.

The letter, which coincides with setting up a special telephone line to allow members to record their views on tape, follows Mr Ashdown's Chard speech last month when he called for a new forum for those wishing to see "a viable alternative to Conservatism".

The speech was widely interpreted as Mr Ashdown's first move towards a pact with Labour. The press reports went down badly among councillors and some constituents who accused Mr Ashdown of plunging ahead

with his own views without consulting the party.

"Unfortunately, much of the press attention was misleading," Mr Ashdown's letter says. "It suggested that I was advocating a pact or an alliance with the Labour party. I am not proposing to impose pacts or electoral arrangements, or just adding up the votes of different parties and hoping that this will get us a majority."

His letter makes no specific reference to the forum but says that the Liberal Democrats should reach beyond their own party and involve others in debates. The voluntary service, the churches and others outside formal politics should be involved.

"We should see the value of a broader movement which can with the Liberal Democrats as its focus, win the battle of ideas in our country and provide Britain with an electable alternative to continued Conservative government," the letter goes on. "We should be prepared to give new leadership to the wider debate about the construction of a post-socialist, non-Conservative Britain."

While sources close to Mr Ashdown say that he is not backtracking from Chard, it is evident that he has slowed

down the pace of change. The sources argue that with the Labour party in disarray coping with internal recriminations, it is hardly the time to push for realignment.

They point, however, to a conference being held on Saturday by a fringe group called Link, the Liberal Information network, which will discuss closer co-operation with Labour. Calum Macdonald, Labour MP for Western Isles, who is pressing for the two parties to agree a limited-seat pact at the next election, will be speaking at the event.

Mr Ashdown admits in his letter that some of his proposals will be opposed and would need debate and discussion. "I hope you will let me know what you think and I will make sure that all your comments are fed into our discussions."

In another sop to the grassroots, Mr Ashdown has decided to hold a full discussion session on the Sunday of the party's annual conference in September about the party's future. The session would allow members to submit their views informally. Mr Ashdown would sit in throughout the session and a motion would then be drafted to be debated at the conference.



Bird's eye view: Earl Howe, parliamentary secretary at the agriculture ministry, observing the work of the Forestry Authority from a treetop walkway at the Alice Holt research station near Farnham, Surrey, yesterday. The site is open to the public today and Sunday

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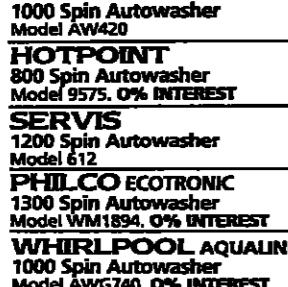
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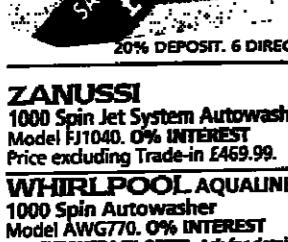
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Major welcomes slowdown in jobless increase

By JILL SHERMAN AND ROSS TIEMAN

THE latest unemployment figures, showing a rise of 21,300 last month, led to bitter exchanges at Commons question time yesterday.

The prime minister said that the rise, which pushes unemployment to more than 2.7 million for the first time in five years, was very welcome but pointed out that the rate of increase was slowing, suggesting that Britain was on the road to recovery.

Although 9.6 per cent of the workforce are claiming unemployment benefit, the increase, calculated after seasonal adjustments, was less than predicted in the City.

Neil Kinnock, the Labour leader, said that John Major's claims on economic recovery had been absurdly wrong.

Mr Major said the Opposition leader should be pleased by recent indicators showing a rise in manufacturing production, growth in retail sales and a slowdown in the rate of increase for average earnings to 7 per cent. "While the increase in unemployment is very welcome, it is clearly now slowing. So I think you can now see that we are on the road to recovery," he said.

Paddy Ashdown, Liberal Democrat leader, asked if the government was so consumed by self satisfaction that it could "offer no hope, no policies and no action for those in need of jobs". Mr Major said that the govern-

ment was putting in place the right economic policy to sustain long term employment prospects.

Gillian Shephard, the employment secretary, said any unemployment increase was a cause for concern, but there were encouraging signs for economic prospects. The number of days lost to strikes during the year to April was at its lowest since 1929.

Employment department officials said the rate at which people are losing their jobs had apparently halved since the early summer 1991, when the count was rising by more than 60,000 every month. But there has now been a month-on-month rise in underlying unemployment for 25 consecutive months.

Earnings slow, page 19



Shephard: encouraging signs in economy

Coal valleys buried under black legacy

High unemployment in the former Welsh mining towns is driving away thousands of young people, reports Tim Jones

ONE of Britain's most economically deprived areas is calling for increased help from government agencies to combat a legacy of despair inherited from the decline of King Coal.

Yesterday's increase in the national jobless figures has reinforced the conviction by Mid Glamorgan county council that it will be a decade or more before unemployment in the area, already amongst the highest in Britain, will fall.

A report considered by councillors yesterday shows that thousands of people are moving from the former mining valleys, leaving behind an impoverished and ageing population. The report paints a grim picture of wasted talent, low incomes, poor housing and a breakup of tight-knit communities. Tens of thousands of people once worked in valleys such as the Rhondda, whose names were synonymous with fuelling the empire. Now, fewer than 1,000 are employed in the coal industry.

The report concedes that without special measures there is little hope of creating over the next decade the 20,000 jobs needed to reduce unemployment to 1990 levels. At present, the area has 26,568 people registered as unemployed, 14.5 per cent of the workforce compared with a national average of 9.4 per cent. Among males, the figure climbs to more than one in five.

The figure for the so-called hidden unemployed is the worst in Britain. Nearly one quarter of the county's males and half its females between the ages of 16 and 65 are defined as not being economically active, usually because of ill health, family responsibilities or a lack of prospects of finding a job.

The report states: "High levels of unemployment are a waste of human and economic potential and will make continued population loss from valleys communities and hardship and deprivation in many households very likely."

AROUND THE LOBBY

Britain to apologise to Sweden

Wales and Scotland talked about a new deal on Europe

Taxless tenant
Longest recess
Urgent debate
Parliament today

Labour says failure to win voters' trust lost election

BY PHILIP WEBSTER
CHIEF POLITICAL CORRESPONDENT

LABOUR lost the election because it failed to win the trust of voters, party leaders said yesterday.

After days of recriminations about the role of key advisers and the impact of campaign events such as the "Jennifer's ear" health broadcast and the Sheffield rally, a national executive inquest has concluded that while mistakes were made none of them accounted for Labour's failure.

Neil Kinnock told the meeting: "We have to recognise that we lost by 7.5 per cent. Our defeat cannot be attributed to individuals or individual events, to the campaign, the conduct of the campaign or the last week of the campaign. The plain truth is that too many voters had memories of the problems in the Labour party of years gone by."

The executive responded to an appeal from John Evans, its chairman, to calm the rising passions in the party.

Instead, in what officials called a serious and rational appraisal, it decided that Labour had lost because it failed to convince people that it was safe to vote for it, that it had failed to deliver its "core" vote among council tenants, the unemployed and pensioners, that it had failed to attract sufficient women voters aged more than 35, that it had failed to match the Tory party organisation on the ground in many areas, and that the tabloid press had switched many voters from Labour at the last minute because of its continuous campaign of vilification against Mr Kinnock and the party in general.

Gerald Kaufman, shadow foreign secretary, said before the meeting: "There were still too many memories of what had happened in the early 1980s when certain people in the party seemed to be more interested in taking over the party than winning a general election."

Mr Kinnock told the NEC that a small but crucial section of the population had felt they could not trust Labour. He was convinced that the polls had not got it as wrong as people had suggested. They had picked up a degree of change in the last days but not its full extent. Britain had the most biased press in any democratic country. "That is not to say that the tabloid press won the election for the Tories but it had a critical effect on a crucial 5 per cent."

He called on Labour not to mourn but to organise and prepare by building on developments in policy and organisation made in recent years, and to concentrate on winning the argument in front of the electorate and not within the Labour party. "If we are to help the have-nots we have to get the support of the haves and the have-not-enoughs. We must be the party that represents all the people."

At the end of the debate Mr Kinnock said that Labour could not proceed by blaming individuals and blood-letting. "We have not heard that today. I am delighted by that and I hope the positive mood of today's meeting will prevail in the future."

Clarke: party had failed to woo suburban man

AROUND THE LOBBY

Britain to apologise to Sweden

Clarke rejects ID cards

BY ARTHUR LEATHLEY

KENNETH Clarke, the home secretary, resisted pressure from Tory MPs yesterday to introduce an identity card scheme wanted by senior police officers. He said that he was not convinced of the need for the cards, or that they offered any law enforcement benefits.

Mr Clarke accepted that the Association of Chief Police Officers differed in its view, but wanted the association to set out in detail how such a scheme would help law enforcement. People were "prepared to do anything" to help the police, but would want to know the benefits.

Sir John Hunt (C. Ravensbourne) led the appeals for cards, which he said could help to prevent fraud, terrorism and illegal immigration. He said that Mr Clarke's response was disappointing.

David Winnick (Lab, Walsall North) said that there was no justification for introducing cards and added that people would suspect that their introduction would be another example of control from Europe. Mr Clarke replied that, although eight EC countries used identity cards, Britain would not be forced into following suit.

Longest recess
The Commons will rise for the summer recess on July 16 and return on October 19, the longest summer break in modern times.

Urgent debate
MPs are to have a debate on research and secretarial allowances before the summer recess.

Parliament today
Commons (9.30): debate on private member's motion on recycling.



In the picture: Jack Cunningham, election campaign coordinator, arriving at the meeting yesterday

Party blandness blamed for woes

A new academic study of the Labour party paints a depressing picture of defeatism and local disillusion, Robin Oakley finds

LABOUR is unlikely to survive as the main alternative party of government in Britain unless it can be "energised" at the grass-roots level, according to a new examination of the party's membership. A new academic study, in which the party co-operated, suggests that Labour is suffering from its "nationalisation" of its own activities at branch level and that it is now suffering as badly from "blandness" as it did once from its internal splits.

In Labour's Grass Roots Patrick Seyd, a Sheffield University lecturer, and Paul Whitley, a professor at the College of William and Mary, Virginia, argue that Labour supporters have become passive, demoralised by a series of electoral defeats and by the central party's takeover of campaigning.

They suggest that Labour is afraid of involving its own activists and they argue that safety-first policies have been taken too far. "If disunity exerts an electoral price, then so does blandness. Blandness puts off voters who complain that they cannot see the difference between the parties and it demoralises the activists who are no longer inclined to mobilise the vote."

The study praises Labour's organisers for stemming the

haemorrhage of membership in the 1980s, when it dropped to the lowest level for 40 years. But it says that the drive to double membership between 1987 and 1991 has failed.

Seyd and Whitley praise the professionalism now evident in recruitment and fund-raising but say that there is no clear idea of the political input to be made by those recruited to Labour's ranks. Local meetings frequently fail to achieve a quorum, fewer resolutions are sent to party headquarters and "the party at national level often refrains from mounting any campaigns against particular features of Conservative government policies for fear that they may be dominated by 'ultra-left extremists'".

Labour organisation, the authors find, has suffered from the decline in traditional working class communities. A better educated and higher-paid population finds other activities more fun than politics and many find single issue pressure groups more rewarding than political party membership.

Seyd and Whitley say that Conservative dominance over British politics in the 1980s has induced defeatism on the left.

Labour's Grass Roots, revised University Press, £25.50

or welcome slowdown in less increase

SHERMAN AND ROSS HEMAS

employment in the former West Germany is driving away thousands of people, reports Tim Jones

Employment in the former West Germany is driving away thousands of people, reports Tim Jones

valleys buried in black legacy

employment in the former West Germany is driving away thousands of people, reports Tim Jones

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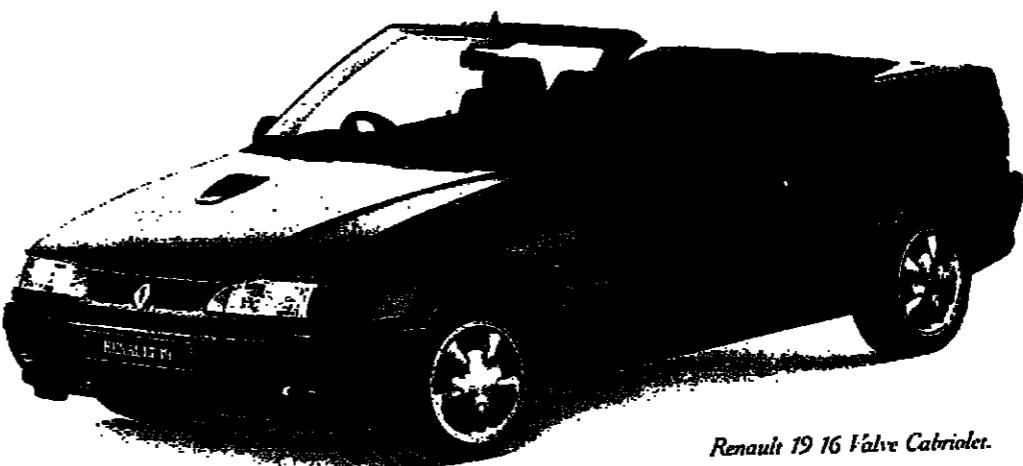
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THE NEW RENAULT 19



Charity-run homes for elderly turn away poor

BY JEREMY LAURANCE
SOCIAL SERVICES CORRESPONDENT

OLD people who want to live in residential homes run by voluntary organisations are being turned away unless they have substantial private incomes. The organisations can no longer afford to help them to pay the fees.

About a quarter of 55 voluntary organisations questioned in a survey said that they were no longer accepting people on income support because the payments fell too far below the costs of providing care. Until now, homes run by voluntary organisations have been seen as the last resort for people who cannot pay private home fees.

A survey by the Age Concern Institute of Gerontology found widespread anxiety among residents unable to meet their fees.

Many old people are having to ask as many as eight or nine charities for help in topping up income support payments because the average grant is only £20 a week towards an average shortfall of more than £50 a week. In all, 117 charities included in the research paid out £5 million.

Pensions at 65 'will penalise women'

BY TIM JONES

THE government was asked yesterday to lower state pension ages to 60 for men and women and was told that it could risk another "poll tax debacle" if any decision to equalise them made people worse off.

The Equal Opportunities Commission, responding to a social security department discussion paper, urged the government to take a broader look at pensions before announcing proposals that will shape the pensions system for the next fifty years or more.

Jane Bridgeman, of the commission, said that some sources suggested that, if retirement age were equalised at 65, it would save the government more than £3 billion, but would be at the expense of elderly women. "Even now, many women face poverty in retirement, largely due to the caring responsibilities that have kept them out of the workforce for long periods, or forced them into low-paid, part-time jobs resulting in inadequate pensions," she said.

"Millions of women already have a raw deal on pensions. Our main concern is to ensure that equality is not achieved at the expense of making them even worse off."

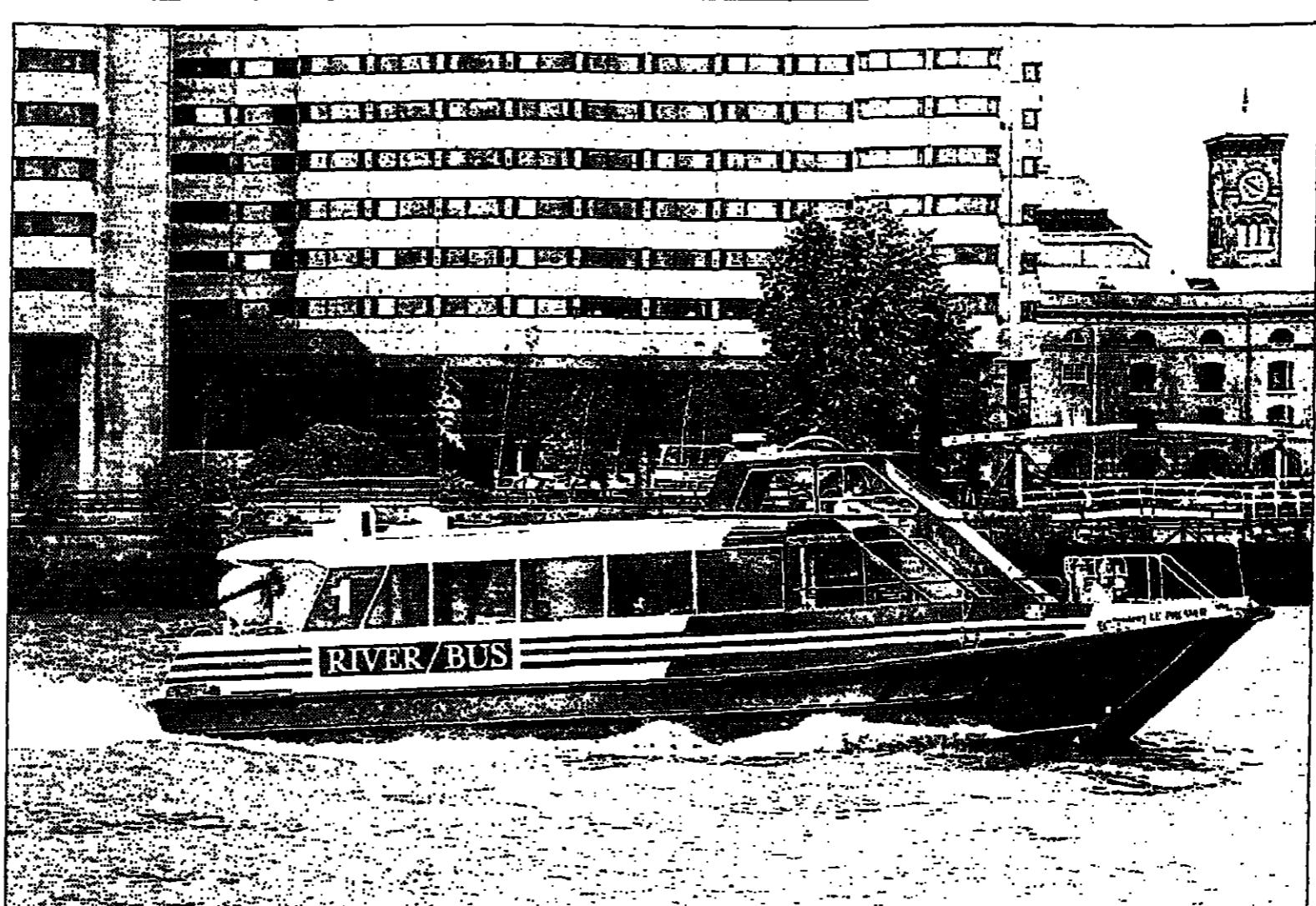
She said that the government had claimed it wanted wide public discussion of the issue, "but this has scarcely begun so far as women are concerned." Women did not want to be blocked off by selective statistics and pensioners were unlikely to see any reason for equalisation to produce a Treasury windfall at their expense.

Lottery revives Albert's cultural vision

SOUTH Kensington would become a traffic-free cultural fairground, reawakening Prince Albert's vision, under a scheme to mark the millennium being prepared by the architect Sir Norman Foster and to be funded by a national lottery.

The scheme would also mark the 150th anniversary of the body which created the Great Exhibition of 1851 and the estate financed from the exhibition's profits, intended to "increase the means of industrial education, and extend the influence of science and art upon productive industry".

The Royal Commission of the 1851 exhibition found itself with a profit of £186,000 and, on Albert's suggestion, bought an 87-acre area at Brompton as a cultural estate and called it South Kensington. The commission is still the landlord for the Royal Albert Hall, the Royal College of Art, the Imperial College of Science, the Royal College of Music and most of the other institutions in the block.



Picking up speed: after an expensive launch in 1988, the Riverbus has now reached a critical momentum. Demand is up 170 per cent

Ailing Riverbus heads for new ownership

CONFIDENTIAL talks aimed at disposing of the Riverbus, London's ailing waterborne commuter and passenger service, are expected to lead to a new owner by July, it was disclosed yesterday.

Negotiations are in progress with a number of interested parties over the long-term future of the Riverbus, which was thrown into doubt when Olympia & York, the Canary Wharf developer, and part owner of the Riverbus, with P&O, went into administration in May.

Use of the Riverbus has increased substantially in recent months, due to greater efforts to market the service, and the desire of

London tourists to see the Docklands' obelisk. Demand is up 170 per cent on last year, and the Riverbus expects to carry one million passengers in 1992, although the company is still likely to run at a substantial loss.

The high-speed service, which runs between Chelsea and Docklands, was originally launched by Paul Channon, the former transport secretary, in June 1988, after 1,700 investors raised £4.5 million to start the service under the Business Expansion Scheme. But commuter indifference soon made predictions that Londoners would use the Riverbus with the same casual nonchalance as Venetians use the vaporetto seem

The Riverbus has fallen far short of being London's answer to Venice's vaporetto, reports Michael Dynes

somewhat far-fetched.

Financial collapse was averted in February 1989 after a group of Docklands property developers, including Olympia & York Charter Group, Regaline Properties, Rosehaugh Stanhope, and Chelsea Harbour, put up £2.5 million to rescue the service.

The government also contributed £500,000 towards the new Riverbus, which now employs about

80 people, an expensive operation to launch. But it has just about reached critical momentum, he added.

According to Bob Aspinall, the librarian at the Museum of London, the Riverbus service represents the fourth attempt to launch a river-borne commuter service since the second world war.

The Water Bus service, which began in 1948, lasted until 1962 before being shut down after incurring substantial losses. Similarly, a Hovercraft service, launched in 1973, failed to last a single season, while a Hydrofoil service, established in 1974, went out of business two years later, for the same reasons.

Tate wants £100m to expand by 60 per cent

BY SIMON TAIT, ARTS CORRESPONDENT

THE Tate Gallery hopes to emulate the National Gallery with multi-million pound expansion plans that will increase exhibition space by at least 60 per cent.

A scheme is to be drawn up for the approval of David Mellor, the heritage secretary, which would involve new building and conversion of a former nurses' home on the gallery's Millbank site. The aim is to complete it between the Tate's centenary year, 1997, and 2000.

No figures have been calculated yet, but the development cost is likely to be close to £50 million. The existing galleries urgently need repair and upgrading, which would bring the total to more than £100 million.

Nicholas Serota, the Tate's director, said yesterday: "Using the available space already on the site, we could increase our display area by two thirds. Funding would have to be a mixture of private and public money."

Controversial aspects of proposals which were put before the trustees on Wednesday included moving curators and conservators

from the main building, separating them from the paint on display, and splitting the Tate's British and modern collections. Mr Serota said he believed that a scheme could be devised to make neither option necessary.

The extra space on the existing site might not be enough. Between 15 and 20 per cent of the Tate's collection can now be displayed, whereas the gallery would like to be able to show 50 to 60 per cent.

The former nurses' home



Serota: seeks public and private funding

fronting on to Islip Street, is occupied, as a tenant of the Tate, by the National Art Collections Fund, whose new director, David Barrie, has said that it should move within a year to premises yet to be found. The Tate's trustees would like to acquire a neighbouring site used by the Ministry of Defence, which has on it the Royal Army Medical School and barrack buildings.

Lord St John of Fawsley, chairman of the Royal Fine Art Commission, has criticised the poor quality of government building and its lack of architectural distinction.

"Government has become a principal patron of architecture in Britain and the direct successor of some of the great private patrons of the past, but it is far from reaching the high standards of building achieved by many of them," he said, launching a report on government patronage and architecture, called *Medici and the Millennium*. He called on Mr Mellor to grasp the approaching millennium as a rare opportunity to improve architectural patronage.



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NEWS IN BRIEF

Student stole £40,000

The former treasurer of the Oxford Polytechnic students' union, who stole £40,000 of union money, saying it was a golden handshake for saving the union money, was jailed for two and a half years yesterday.

A jury at Oxford Crown Court was told that Paul Edward Crossland, 25, of Canterbury, Kent, made out a cheque for £5 to a fellow student in 1989 and then altered the sum to £40,000 before paying it into a fictitious account. He then withdrew £37,000 in cash and flew to France.

Crossland was found guilty of theft and forgery and ordered to pay £6,000 compensation.

Green fingers

One gardener in two is giving up the use of weedkillers and other chemicals, according to a survey by the magazine *Gardening from Which?* One in five has abandoned garden chemicals altogether. More than 2,000 gardeners took part in the survey.

Good tidings

A policeman arrested an alleged shoplifter after chasing him into the sea at Llandudno, Gwynedd. After the tide went out a clock was found on the beach.

Nissan charge

Tore Arne Thorsen, 52, a Norwegian shipping magnate, has been sent for trial to Southwark Crown Court by Teesside magistrates, accused of a £100 million fraud over car imports by Nissan UK.

Unlucky escape

A prisoner who was one of six who escaped from Everthorpe jail, Humberside, had to be rescued by helicopter after he fell down a railway embankment and injured his leg and hip. All six have been recaptured.

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Yeltsin manages to eclipse Gorbachev

FROM MARTIN FLETCHER IN WASHINGTON

IN an astounding summit success, Boris Yeltsin has broken out from behind the shadow of Mikhail Gorbachev and convinced the American administration of his legitimacy and international stature. The Russian leader made possible the most far-reaching superpower arms reduction agreement in an exchange with America that far exceeded expectations.

If the 1990 address to Congress by President Havel of Czechoslovakia was a success, Mr Yeltsin's speech on Tuesday was a sensation. "One of the finest speeches I've ever heard," said Joseph Kennedy, a Democrat. "He had everyone in the palm of his hand," said Jerry Lewis, a Republican. Thirteen times congress-

men rose from their seats to cheer Mr Yeltsin. The decorated House chamber rang to spontaneous chants of "Boris, Boris".

It was a triumphant climax to an astounding inaugural summit. Mr Yeltsin not only made possible the most sweeping arms reduction accord of the nuclear age, he broke from the shadow of Mr Gorbachev, the administration's past favourite, and established himself as an international figure of immense legitimacy and stature.

Once derided by Washington's political elite as a buffoon and hard-drinking boor, Mr Yeltsin was hailed by American commentators yesterday as a "master statesman", a "risktaker of enormous dimensions" and "one of the most important and heroic figures in Russian history". President Bush, his electoral fortunes rising by the minute, appeared bowled over.

Deliberately or otherwise, Mr Yeltsin managed to make Mr Gorbachev, his old nemesis, look distinctly shady. Mr Gorbachev spoke of reforming communism, Mr Yeltsin of destroying it. While Mr Gorbachev flirted with democracy and free-market economics, the Russian president boasted of giant steps already taken. Mr Gorbachev advocated glasnost, but dark secrets of the Soviet era numbed from Mr Yeltsin. "There will be no more lies, ever," he declared.

In a stunning blow to Mr Gorbachev's good name, Mr Yeltsin insisted that the last Soviet president knew full well that American servicemen had been held in Soviet prison camps. "I am not responsible for him," snapped the Russian president when asked to explain Mr Gorbachev's alleged duplicity.

The goodwill Mr Yeltsin engendered in Washington is unquantifiable, but seems bound to translate into concrete rewards. He has essentially traded nuclear arms for dollars, billions of them.

Control along Latvia's land border with Estonia is similarly half-hearted. A group of young men, dressed in what could just pass for a uniform, with baseball caps on their heads, slouched around a road block waiting for custom.

But, across a short no man's land, the Estonian frontier presents quite a different picture, resembling a mini-Checkpoint Charlie, with lights, barriers and a narrow zig-zag roadway. Tallinn airport, too, reveals that Estonia is ahead in the frontier stakes: which is not good news for Russians. Once their battered cases and boxes have been through the two x-ray machines in 10 yards (more food checks), they find themselves effectively "abroad", and therefore penniless. In Estonia proper their troubles have been legal tender. In the "international departure lounge" at the airport, however, everything is priced in Deutschmarks. The humiliation is most likely deliberate, a last little jab at the Baltics' determination to regain their statehood.

Nobody has been charged with their deaths, but it is widely believed by Lithuanians that their killing was a last attempt by Soviet special troops to intimidate Lithuania. Only a little later, in August, the coup in Moscow made Baltic independence inevitable. Medininkai, although not the first border post, became a symbol of the Baltics' determination to regain their statehood.

Now Lithuania claims to have control of its whole state border except, and it is a big except, for the sea lanes and air corridors forming part of the continuing dispute with Russia about troop withdrawals. For anyone arriving and departing by air, however, the only border formality is an outgoing customs check.

Lithuania gives every appearance of taking border controls more seriously. If you are non-Russian starting from



Writing history: President Bush conferring with President Yeltsin at the signing in the White House on Wednesday of the landmark agreement to destroy thousands of nuclear weapons. The two leaders also signed bilateral economic and scientific accords

Border controls go up in Baltic states

FROM MARY DEJEVSKY IN TALLINN

NEAR Medininkai, on the Lithuanian side of the border with Belarus, there are two shiny portable cabins, a couple of blue-uniformed border guards and two brown-suited customs officials who examine the boot of your car for such unauthorised exports as food. Behind the first cabin there is also a tiny flowerbed with a wooden cross, a memorial to the five border guards murdered there last July.

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Former Soviet major claims PoWs went to Kazakhstan

FRESH light could be shed next week on the acutely sensitive subject of American soldiers brought to the Soviet Union during the Vietnam war.

A Soviet army major and amateur historian who has gathered information about one or more American soldiers being moved to Kazakhstan in 1967 will be summoned to Moscow to testify before a parliamentary committee on prisoners of war. The major, 32, now serving in Yekaterinburg, is understood to have spoken to a KGB officer who recalled escorting at least one American PoW from Vietnam to Soviet Central Asia.

However, the young officer, fearful of compromising his own career prospects, has refused to make further details of the story, or his own name, public unless invited to do so by an official body. That invitation will be dispatched today in the form of a cable from Yuri Smirnov, a Russian parliamentarian.

Several members of a joint

US-Russian commission on PoWs flew yesterday to Pechora, 750 miles northeast of Moscow, to investigate the possibility that David Martin, an American pilot captured during the Korean war, is still alive. Foreign ministry officials said the trip had been planned before President Yeltsin's comments in Washington about the possibility that American PoWs were still living in Russia, although the visit appeared to have been hastily organised.

When the investigators arrived at the remote camp, home to 200 prisoners, they found only freshly painted walls and assurances from both officials and inmates that there were not and never had been any Americans there. Major General Leonid Khamluk, who is responsible for the region, said the team of two civilian and one military investigators refused to divulge the source of their information.

Yuri Pankov, a Russian investigative reporter who has made a special study of the fate of American PoWs, said he had obtained documentary evidence to back up the claim by Oleg Kalugin, a former KGB general, that Soviet officers helped interrogate prisoners in Vietnam. Mr Pankov has procured

copies of two nearly identical intelligence documents in which a KGB general is authorised to send Colonel O.M. Nechiporenko to Vietnam for a fortnight at KGB expense, apparently to participate in interrogation.

The two documents were dated November 20, 1972

Lacklustre Shamir style sends supporters to sleep

FROM RICHARD BEESTON IN BAT YAM, ISRAEL

WHEN Yitzhak Shamir, the Israeli prime minister, stepped gingerly from his limousine onto the pavement of this Tel Aviv suburb, he may have expected the sort of rousing reception that has so far been lacking in his other campaign appearances.

Not only is the working-class community of Bat Yam made up of the archetypal Likud supporters, many of them underprivileged Sephardi (oriental) Jews who emigrated from North Africa, but its own recent tragic history should have made it doubly eager to embrace the standard-bearer of the Israeli right wing.

Only yards from where Mr Shamir was due to speak stood the pavement memorial of Israeli flags and withered flowers left by residents in tribute to Helena Rapp, 15, who was stabbed to death by a Palestinian labourer this month in an attack which helped to refocus next week's elections on the central question of Israel's security. The unprecedented streets riots

which erupted in Bat Yam after the murder should have played right into the hands of the ruling Likud and its right-wing allies, who vowed to eliminate Palestinian resistance to Israeli rule in the occupied territories.

The build-up to Mr Shamir's speech on Wednesday was certainly intended to concentrate people's minds on the need for four more years of a no-nonsense leader-shipped by the tough former underground leader, who shows no signs of tiring of his job at the age of 76. "He is the only leader in the country who stood beside me during the tragedy of Helena's murder," Ehud Kinamon, Bat Yam's mayor, said.

To show that the Israeli leader had a heart, immigrant girls were led onto the stage with flowers for the grandfather figure, with one Ethiopian infant reaching up to the microphone to say: "Mr Prime Minister, thank you for bringing me to Israel. I hope you will continue to perform wonders." Up

until that moment, no one could have faulted the Likud campaign strategists, until Mr Shamir began his discourse hailing the achievements of his administration in a labourious hour-long address, which put some supporters to sleep. Mr Shamir time and again during this campaign has failed to arouse the passions of an often emotional electorate. "If we had Menachem Begin speaking here tonight we would have 300,000 people instead of 300," a lifelong Likud supporter said. Like many Israelis, he regarded the country's present leadership as a pale and unimaginative imitation of the man who not only bombed Iraq and invaded Lebanon but also succeeded in making peace with Egypt.

While Mr Shamir has shown himself to be unflappable during the campaign he can never hope to emulate Mr Begin's populist image and oratory, the sort of political attributes which could be vital in winning over an apathetic electorate.

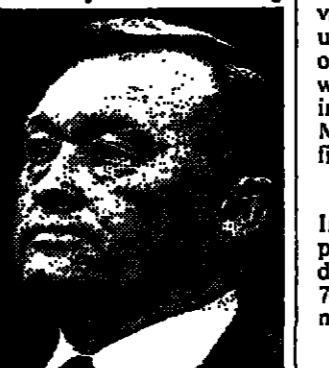
and February 7, 1974. This suggests that the dispatch of KGB interrogators continued after the Paris peace treaty of January 1973 and the exchange of prisoners the following month.

However, part of each document remains classified, so the precise purpose of the trips by Colonel Nechiporenko, who is now retired and denies having been sent to Vietnam, is still unclear. Other documents obtained by Mr Pankov, referring to the equally sensitive subject of Western soldiers "liberated" from the Nazis by the advancing Red Army and then taken into Soviet custody, suggest that all but a handful were freed in the course of 1946.

A report to the Red Army command from an official "repatriation committee" states that as of March 1, 1946 there were eight Americans, three Britons, 636 Dutch and 1,224 French among the 4,867 foreign nationals who were still in Soviet hands. A second document, dated December 1, 1946, asserts that all but one of the 22,555 American PoWs had passed through Soviet hands, and all 24,451 of the Britons, had since been repatriated.

This left only 134 foreigners, mostly Czechoslovaks and Yugoslavs, still captive.

Of these, just 21 — including



Kalugin: KGB agents questioned prisoners

two Frenchmen but not the solitary American — were on Soviet soil: the others were presumably held in barracks in Poland or Germany.

Mr Pankov cautioned that the Soviet authorities tended to classify prisoners by ethnic group rather than by passport. Hence a US citizen of Russian or Ukrainian origin — precisely the kind of person likely to be subjected to long-term detention — might not be listed as an American.

CBS names 'Deep Throat'

BY MARTIN FLETCHER

CARL Bernstein calls it the "one great secret in the whole world": who was Deep Throat, the government source who gave invaluable leads to Bob Woodward, Mr Bernstein's colleague on *The Washington Post* when the two reporters investigated the Watergate scandal?

On Wednesday night, the 20th anniversary of the break-in at the Democrats' headquarters that led to President Nixon's resignation, CBS television provided an answer. In interviews for a documentary Messrs Woodward and Bernstein denied claims that Deep Throat was a composite of several sources and said he was still alive.

CBS scoured the book, *All The President's Men*, and the journalists' other writings for clues. Using published dates of the meetings with Deep Throat, CBS eliminated three prime suspects — Al Haig, the former White House chief of staff, Henry Kissinger, then national security adviser, and Melvin Laird, then defence secretary. All were out of the country on at least one of those occasions.

The nature of Deep Throat's tips has pointed to the FBI, which was pursuing its own Watergate investigation. Mr Nixon once accused Mark Felt, the FBI's deputy director, of being Deep Throat. Accosted by CBS, Mr Felt denied the charge and pointed out that he had given up smoking in 1943. According to Mr Woodward, the source he met in the celebrated underground car park was a chain smoker.

"There is one person we have come to believe best fits the description of Deep Throat," said CBS, and it

named Patrick Gray, a former assistant attorney-general who was appointed acting director of the FBI just before the Watergate break-in. The documentary said Mr Gray "started out as a Nixon loyalist" but became "increasingly disgusted" as he was dragged into Watergate and "came to loathe dealing with all the president's men".

Another mystery about Deep Throat was how a government official could have managed such lengthy, clandestine meetings in the middle of the night. Mr Gray lived in a flat in a building with an underground car

park just four blocks from Mr Woodward's flat. He jogged before dawn, which would have enabled him to mark Mr Woodward's newspaper in one of their pre-arranged signals for a meeting. He could easily have driven to work past Mr Woodward's flat to check if the reporter had moved his balcony flower pot, the other signal.

Now 76, Mr Gray lives in Connecticut, has an unlisted telephone number, and has not spoken publicly about Watergate in 20 years. His lawyer denied he was Deep Throat, but Mr Gray has made no comment.



Taking the rap: Ice-T, whose hit has been accused of inciting young people to murder

New York police yesterday called on the New York sheriffs' group to boycott the film *Batman Returns*, which opens in America today, in protest against a rap song which they say incites young people to murder policemen.

The companies that produced *Batman Returns*, starring Michael Keaton, Michelle Pfeiffer and Danny DeVito, and the song *Cop Killer* by rapper Ice-T and his band Body Count are owned by Time Warner Inc. Police in New York state and Texas have called for a boycott of all Time Warner products until the album is removed from stores. Police say the song, which includes such lyrics as "I'm about to dust some cops off. Die, pig die", encourages and glorifies killing police.

Rap musicians and their supporters have come into increasing conflict with the white establishment in recent weeks. Last Saturday, in a speech to the Rev Jesse Jackson's Rainbow Coalition, Bill Clinton, the Democratic candidate, criticised another rap singer, Sister Souljah, for what he claimed were racist remarks. He cited a newspaper interview in which Sister Souljah had said: "If black people kill black people every day, why not have a week and kill white people?"

Mr Clinton was immediately attacked for singling out a black individual in his remarks, in what some said was an attempt to appeal for white votes. At a press conference in New York on Tuesday, Sister Souljah said that Mr Clinton had "chosen not to attack the issues, but a young African woman". She said her remarks had been intended to describe the attitude of young American blacks and that she did not advocate killing anyone.

Sister Souljah has in the past used rap lyrics suggesting a violent solution to the problems of black urban poverty and disillusion. In her song, *The Hate That Hate Produced*, she says: "I am black first. I want what's good for me and my people. And if my survival means your total destruction, then so be it. You built this wicked system."

Mr Clinton defended his criticism of Sister Souljah on MTV television's young people's forum channel on Tuesday night. He said: "It is never right, ever — partic-

ularly for people of influence — to say there are no good people of another race, that maybe all the blacks should go kill whites for a change." He said he had received calls from a number of blacks supporting his stand against Sister Souljah.

The heightening of tension between races comes at an inauspicious moment, particularly in New York, where black community leaders have pronounced today "a day of absence" in response to the Rodney King verdict in Los Angeles. Black New Yorkers are being urged to stay away from work, school, buses, subways, telephones and shops, and to boycott white-owned businesses to demonstrate the importance of blacks to the life of the city.

Police press for boycott of Batman film over Cop Killer song

FROM BEN MACINTYRE IN NEW YORK

India's ruling Congress (I) party has named Vice-President Shankar Dayal Sharma, 74, as its candidate for next month's presidential poll.

The spiritual leader of the Lubavitch sect of Hasidic Jews, Rabbi Menachem Schneerson, 90, was taken to Mount Sinai hospital in New York after blood tests uncovered a possible internal infection. The ultra-Orthodox sect has about 100,000 followers.

Mei Gibson, 36, who consistently makes the "best-looking" lists, is to make his debut as a director and star as a disfigured man in *Man Without a Face*, which may be filmed in Maine this summer.

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Belgium
Spain
defend
membr

Aid convoy
slips into
besieged
Sarajevo

Italians to

Belgium and Spain 'query defence force membership'

BY MICHAEL EVANS, DEFENCE CORRESPONDENT

BELGIUM and Spain are now having second thoughts about joining the Franco-German "Eurocorps", according to senior British government sources.

Both countries had indicated an interest in joining the new force which was announced by President Mitterrand of France and Helmut Kohl, the German chancellor, at a summit last month. However, Spain has now been won over by the British argument that a future European defence force should be based on the nine-nation Western European Union, with each member country offering units for peacekeeping or peacemaking roles.

Under the British proposal,

put forward recently by Malcolm Rifkind, the defence secretary, the Franco-German force could be one of these designated units. The proposal was aimed at stalling any rush by other WEU members to join the Eurocorps, yet at the same time to place the new body under the aegis of the WEU. According to the sources, Belgium has told Britain it does not want to be the only other country to join the Franco-German force.

Since Mr Rifkind's initiative, Pierre Joxe, the French defence minister, confirmed that the Eurocorps would be available for WEU operations. The WEU is likely to take on an expanded role at a meeting in Bonn today when foreign and defence ministers from nine member states are expected to approve its peacekeeping role. European countries who are not members of the WEU will also be offered full or associate membership to bring all of Europe under the same defence and security wing.

The nine countries which are already members — which include Britain, France and Germany — will be asked to designate certain units for WEU operations. Units such as the existing Anglo-Dutch amphibious force, and the proposed multinational air mobile force (Britain, Germany, The Netherlands, and Belgium) which will be part of the new Nato rapid reaction corps, will be offered to the WEU.

But the peacekeepers' mission will help prepare for an airift of relief aid to 300,000 inhabitants of the Bosnian capital was impaired by the collapse of a truce between Serbian and Muslim and Croatian militias.

The convoy had set out from Belgrade on Tuesday.

PEOPLE
Jackson to bring two tons of costumes

A UNITED Nations peace-keeping convoy trapped for 36 hours by fighting outside Sarajevo reached the city centre safely yesterday with 15 tonnes of food and medical aid for starving civilians.

But the peacekeepers' mission will help prepare for an airift of relief aid to 300,000 inhabitants of the Bosnian capital was impaired by the collapse of a truce between Serbian and Muslim and Croatian militias.

The convoy had set out from Belgrade on Tuesday.

Red Army in official uniform' (March 1) the Americans (6/4) I French foreign aid in Soviet document (1946) as one of the PAKs had no funds in Britain, arrested 42 German leaders (2/4) captured including

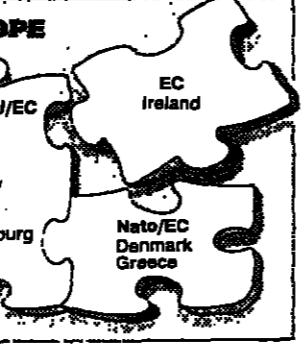
24 hours into the precarious ceasefire, but had to race for cover behind Serbian lines on Sarajevo's outskirts when shelling broke out again that night. Fierce fighting on Wednesday confined the 47-vehicle convoy to Lukavica, outside the city. But it slipped into Sarajevo yesterday after winning safe passage.

A British official admitted there remained a "tug-of-war" between those, such as France, who wanted the European defence arm to come under the wing of the EC, and others, such as Britain, who favoured the institutional link to be with the WEU.

Now M Delors and other commission officials are trying to avoid rows with governments that might spoil the treaty's chances of ratification, and are looking for a politically quiet moment to release the report. "We're a bit hamstrung about what is tactically the best moment," said one official yesterday.

The report is likely to turn out to be a relatively neutral description of the workings of the discount which Britain

15



FROM JOHN PHILLIPS IN ROME

Giovanni Amato, the Socialist intellectual nicknamed Dr Subtle by his former colleagues, became Italian prime minister-designate yesterday. He acknowledged that his reputation for finesse will be tested as tries to form a credible government.

"It will be a ship in a stormy sea," Signor Amato, 54, said after receiving the mandate from President Scalfaro to try to put together the 51st Italian government in the post-war republic. He said the "crucial points" of the programme he plans would be dealing with the huge public expenditure deficit, the struggle against organised crime, promoting morality in public life, and institutional reforms.

President Scalfaro has told Signor Amato he should try to construct a cabinet reflecting the massive pro-test vote in favour of change cast by Italians against traditional parties in the April 5 and 6 general election. But the Christian Democrats and Socialists are reluctant to relinquish power.

Corriere della Sera yesterday said Signor Amato "is perhaps the Italian politician who has collected the

support from the opposition Republicans and former communist Democratic Party of the Left, commentators said. Opposition leaders were sceptical whether the deputy Socialist Party leader would produce anything other than a rehash of a version of the coalition led by the outgoing prime minister, Giulio Andreotti, that was made up of Christian Democrats, Socialists, Liberals and Social Democrats.

President Scalfaro has told Signor Amato he should try to construct a cabinet reflecting the massive pro-test vote in favour of change cast by Italians against traditional parties in the April 5 and 6 general election. But the Christian Democrats and Socialists are reluctant to relinquish power.

Corriere della Sera yesterday said Signor Amato "is perhaps the Italian politician who has collected the

most ticknames, nearly all of them malevolent, nearly all coined by comrades from his party who do not like him too much" because of his rapid rise to influence. The only sobriquet of which he approves, the Milan daily said, is that of Dottore Sottile (Dr Subtle) attributed to him because of his reputation for smooth behind-the-scenes manoeuvres.

Signor Amato also enjoys a reputation for ruthlessness combined with a zealous honesty. La Repubblica likened him to Saint Just, the ideologue of the reign of terror during the French revolution.

He was sent to Milan earlier this year to clean up the local party branch after the eruption of a huge bribery scandal that indirectly touched the party secretary, Bettino Craxi. Critics said the purge initiated by



Brew nun: a Franciscan enjoying a beer at the opening of the 91st German Catholics' Day, held on the feast of Corpus Christi, in Karlsruhe yesterday

Danish effect eases way for Britain in Brussels

FROM GEORGE BROCK IN BRUSSELS

WHATEVER the results of yesterday's vote in Ireland on the Maastricht treaty, the European Community is being temporarily transformed by the impact of the Danish rejection of the proposals for political and economic union. Among other striking changes, the "Danish effect" is easing several of the British government's toughest problems in Brussels.

A report on Britain's EC budget rebate has been ready for two months inside the European Commission, but now seems unlikely to appear before next month. Jacques Delors, the president of the commission, delayed the report at John Major's request shortly before the British general election in April.

Now M Delors and other commission officials are trying to avoid rows with governments that might spoil the treaty's chances of ratification, and are looking for a politically quiet moment to release the report. "We're a bit hamstrung about what is tactically the best moment," said one official yesterday.

The report is likely to turn out to be a relatively neutral description of the workings of the discount which Britain

was allowed in the budget deal of 1988. On average, the rebate cuts Britain's £3 billion share of EC revenue to £2 billion each year. German ministers, representing the only EC government which pays in more than Britain, and suffering economic troubles, have served notice that they want to reopen the issue of Britain's payments. But given the importance of the Maastricht treaty being ratified in the Commons, and Britain's veto over any change to the rebate, little change seems likely.

A similar reticence has seized the Commission over the divisive question of EC enlargement. Leaks from M Delors' entourage about his thinking on the long-term structure of a larger EC went wrong when they became an issue in the Danish referendum campaign. Since the Commission leaks confidential documents almost every day, the commissioners are now wary of writing anything down: they have decided henceforth to report to ministers on enlargement by discussing it with them in meetings. The reports will avoid controversy and constitutional change will barely be broached.

Although the Danish vote may have suppressed risky thinking in Brussels, it has opened new lines of argument elsewhere in the Community. Political establishments are waking up to the unpleasant knowledge that their claims about the vital importance of European union are no longer accepted at face value. Nowhere does that secretive and paternalist style now pose greater risks for the Maastricht treaty than in France.

Letters, page 15

Czechoslovak leaders play high-risk game

Czech and Slovak antagonists have decided to rely on poker-style brinkmanship. Roger Boyes writes

Czechs and Slovaks are slaloming towards divorce. The two political power brokers — Vaclav Klaus, the Czech, and Vladimír Mečiar, the Slovak — have refused to commit themselves to a significant federal government and both seem to regard it as a mere liquidation committee to divide the assets of the 73-year-old country.

Mr Klaus, rather than head a meaningless federal government, will seek the premiership of the Czech lands. Mr Mečiar is virtually assured of the premiership of Slovakia.

The problem is determining how much of this is brinkmanship and tactical manoeuvre. On the surface, Mr Klaus appears to be particularly tough: his line is that if the federation cannot be saved then it must part soon. He has been deliberately stepping up the pace of negotiations, hoping the prospect of a sudden end to federal subsidies will jolt the Slovaks and sway them against independence when it comes to a referendum on the issue.

That approach has probably been co-ordinated with President Havel, who has maintained for over a year that most Slovaks do not want independence and that popular grievances are being exploited by Mr Mečiar and the nationalists. The point of the talks so far has been to send alarm signals to ordinary Slovaks.

Mr Mečiar is also playing a tactical game. He has set out a timetable for secession — a declaration of sovereignty by the new Slovak parliament, a referendum on independence and finally a deal with the Czechs. He has put forward a concrete proposal: Czechs and Slovaks should have two separate states bound by economic and defence agreements.

Mr Klaus believes the Slo-

NEWS IN BRIEF

UN hopes for accord on Cyprus

New York: The United Nations yesterday began a fresh attempt to end the 18-year division of Cyprus, with Western diplomats hopeful that agreement can be reached on the creation of a bi-zonal federation with a rotating presidency. James Bone writes

Boutros Boutros Ghali, the UN secretary-general, held separate meetings yesterday with George Vassiliou, president of the internationally recognised Greek Cypriot state in the island's south, and Raúl Denktaş, leader of the Turkish Cypriot community in the north. Diplomats said the UN chief hoped to persuade them to meet next week for the first time in more than two years to work out a "framework" agreement.

Office bombed

Basilia: A bomb exploded at the office of a security company which had inspected a Cossack soccer stadium stand that collapsed last month, killing 15 fans. The local company director has been charged with manslaughter. (Reuters)

Pilot killed

Athens: A Greek air force pilot was killed when his Mirage F1 jet fighter crashed in the sea while trying to intercept a pair of Turkish F10 jets that had entered Greek air space, the air force announced. (AP)

Kurds arrested

Rouen: Police entered a church in Rouen and arrested 16 Kurds who had been on hunger strike for 35 days demanding political asylum in France. Witnesses said that there were some scuffles but no injuries. (AP)

Poll date set

Taipei: Taiwan will hold a general election on December 19. The poll will be the first time the Nationalists have risked losing control of the legislature since fleeing in 1949. (Reuters)

Chief pardoned

Wellington: Mokomoko, a chief of the Whakatane tribe, has been pardoned 126 years after he was hanged for the murder of Carl Völker, a Dutch Anglican missionary whom the Maoris suspected of spying for Britain.

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John Major's missing millions

The prime minister's toughest test will be to cut spending, says Peter Riddell

When Norman Lamont put on the mantle of Stafford Cripps this week to stress how tight the review of public spending will be, it was not just the usual Treasury exercise in summer gloom to soften up the rest of Whitehall. This year is different. Ministers know that if they cannot bring public finances under control immediately after an election, they never will. More even than Europe, the spending round will be the test of what John Major does with Mrs Thatcher's legacy.

Public borrowing has soared over the past two years, to at least £28 billion, well above the European monetary guidelines. In contrast to the early 1980s, the government has decided to allow the impact of the recession to show up in higher borrowing. But the cabinet also agreed big increases in spending unrelated to the recession, notably on health and transport. Before the election, ministers had the guilty air of slimmers sneaking a potato and claiming it did not matter because they had kept to their diet before and would be disciplined in future.

The reckoning has arrived. The economy is recovering even more slowly than expected, further increasing borrowing. That makes less plausible any hopes that the budget will return to balance over the medium term or of a reversal of the rise in spending as a share of national income, from 39.5 in 1989 to more than 43 per cent. Mr Lamont has said: "no responsible government can allow recession to become an excuse for a permanent expansion in the proportion of the nation's wealth spent by the state. The growth of public expenditure cannot be divorced from the real growth of the economy in bad times as well as good."

Mr Major has given the cabinet a homily on the need for restraint, and Michael Portillo, the chief secretary, who is reckoned to be hard-working as well as clever, has talks with departments before they put in their spending bids. So far these discussions have made little impression. In the Whitehall village, no ministers, especially those new to their departments as most are, want to be seen as giving ground to the Treasury at this stage. Existing plans for next year contain a reserve of £8 billion, but much may be absorbed by the extra costs of the recession and of easing the transition from the poll tax to the council tax.

Mr Major and the Treasury team are like characters in Alice, stumbling through a maze to be confronted with signs saying "hands off — manifesto pledge", "statutory commitment" or "political priority". Within the £70 billion social security budget, there has been talk of focusing benefits on the needy. But much of the programme is demand-led by the number of pensioners and the unemployed. The Tories have promised to raise the value of retirement pensions and child

A WEEK IN POLITICS

benefit each year in line with inflation. In other cases, preventing abuses would require controversial legislation. There will be no repetition of last year's big rise in the health budget, although the Tory manifesto promised a year's increase in real resources committed to the NHS.

Even reform is expensive. Encouraging more schools to opt out of local authority control adds to costs. Short-term pressures are also increased by the targets for cutting hospital waiting-lists and compensation schemes for delays in services, as enshrined in the Citizen's Charter, which is due to be reviewed at a Downing Street seminar today. Improving public services is not cheap, although contracting-out should produce long-term savings.

The Treasury always has its list of potential cuts, such as defence, transport and training. Whitehall running costs — mainly pay — may also be squeezed, although this yields less when inflation is already low. Tax reliefs on mortgages and pensions offer large potential savings, but are hard to

tackle given the current state of the housing market.

To reverse the rise in borrowing, Mr Lamont may have to look to taxes not raising tax allowances in line with inflation, or broadening the indirect tax base. This is the last year when both sides of the equation are decided separately, for in a welcome announcement in the Budget, Mr Lamont said that from December 1993 tax and spending plans would be presented together.

None of the choices is easy. Departmental interests will matter more than the ideology of ministers. Thus so-called Thatcherite ministers such as Michael Howard and Peter Lilley, who head vast spending departments, will be trying mainly to contain unavoidable increases in spending, whereas Michael Heseltine, despite his more interventionist reputation, has already lowered expectations by saying he is not seeking "any significant change" in trade and industry spending. Even with the addition of energy, his department's budget is less than that for overseas development. He is likely to tinker and repackage some programmes.

The outcome will finally depend on Mr Major himself. As prime minister, he has so far sought not to offend, and to please as many groups as possible. But he must accept some unpopularity now if public finances are to be put in order. The twin strands of his career have been the Treasury minister's preference for sound finance, and the whip's instincts for conciliation. This summer he needs to think as a Treasury man rather than as a whip.

His office, however,

his week, the Berlin Wall of British higher education finally crashed to the ground, as the Privy Council gave formal approval to the new university names of 28 polytechnics. According to the new campus orthodoxy, students and lecturers will no longer suffer from the intellectual apartheid which divided the universities from the under-rated polytechnics. From now on, they will be one big, happy family, sharing committees, funding councils and application forms.

Hence, the polytechnics' quest for ingenious names to prevent confusion and entrench their identities. Leicester Polytechnic, for instance, becomes De Montfort University, after Simon de Montfort (c.1208-1265), the earl of Leicester who rebelled against Henry III, while Liverpool Polytechnic pays homage in its new title to Sir John Moore, the pools tycoon. Anglia Polytechnic hedges its bets by becoming Anglia Polytechnic University.

Name changing is an amusing parlour game, but scarcely addresses the real question: what makes a university? Cardinal Newman was in no doubt. "What

an empire is in political history," he wrote in *The Idea of a University* (1852), "such is a University in the sphere of philosophy and research. It is . . . the high protecting power of all knowledge and science, of fact and principle, of inquiry and discovery."

In Newman's humanistic vision, the role of the university was to train the mind of the governing classes and tend the intellectual soul of the nation. And that vision has kept its grip on the collective imagination. Why else would John Major be so sensitive about his lack of university education, or the Opposition leader bellow that he was the first Kinck to graduate "in a thousand generations"?

Just as the polytechnics exemplify all that is modern, sleek and efficient, the universities have a mystique rooted in the dimly-remembered past. The bond of which Newman wrote between power and intellect is as old as the privileges granted to medieval

scholars by their rulers. For an ambitious family in the middle ages, setting up a dynamic university was de rigueur. Charles IV, a terrible show-off, shored up his imperial power in 1348 with the foundation of Prague University, which the rival Habsburgs soon matched in Vienna. Cosseted by the rich and famous, the universities developed their own agenda and authority, and even challenged the papacy head-on in the great 15th-century councils. Thus the continent of Europe was knitted together by its intellectual community. Measured against the power of the medieval schools, especially Oxford and Paris, Jacques Delors' ambitions for Europe are modest indeed.

Such pretensions to greatness die hard. In England, the ancient universities have from time to time taken on the authorities and won; and the glimmering array of politicians at the vice-chancellors' reception in Westminster last week showed that the universities still have a finger's grip on the reins of power. With this arachnid tradition, the polytechnics will struggle to compete.

The universities have glamour in spades, too. E.M. Forster struck a chord when he admitted that memories of Cambridge, his "dear old university", inspired in him only "snobbery or priggishness". Snooty tales of high-table rows, of Somerville girls battling against co-education, and of radical French philosophers opposed by crusty dons still go down a treat with the educated Englishman.

Provincial universities like Sussex, meanwhile, have discovered and cultivated a different kind of racism, an image of progressive affluence mythologised in a string of campus novels. There is always a redbrick in vogue which sixth-form poets will head for.

If a university were simply a worthy institution which dished out degrees and supervised re-

bilities seemingly divested on to them, were inevitably thought to be waiting in the wings. They lived under a giant shadow, and who could tell which was the dauphin and which the Prince of Wales?

In the White Hart, the *Daily Mirror* drinking den, hardened hacks who caught a glimpse of Ian or Kevin entering Maxwell House opposite would tug a forelock and make Uriah Heep references to the "young master". The brothers occasionally glanced through the window, but they rarely ventured in; fraternisation — below a certain level — was frowned upon. Life as a Maxwell, under Bob, meant never being able to say "sorry". To those who dealt with him on a daily basis, Ian Maxwell's greatest sin was retelling his father's anecdotes and expecting — as Bob did — the same gust of laughter every time.

When Maxwell died and the theoretical division of the soon-to-vanish spoils allotted Mirror Group Newspapers to Ian and Maxwell Communications to Kevin, Ian began signing letters "The Publisher" and appearing in his father's multicoloured bow-tie. It was as if the only way to exorcise the ghost was to emulate his fashion sense.

Ian had inherited more than Kevin of his father's gift for tongue. With a French mother it was unsurprising that most of the family professed bilingualism, though it was not always perfect. Ian, however, switched easily into and out of French, and was fond of dropping German phrases into conversations with those who understood them. Kevin, on the other hand, was shy about using other languages, preferring to pass on the role of toastmaster for a delegation from the German publisher, Berliner Verlag, even though he had been involved in its part-purchase. His gift was for doing sums: Ian's was for shaking hands and speaking in tongues.

How far either will now serve them is in the hands of the courts. I am simply glad I never had to take a school report card home to their father.

Bernard Levin's column returns on Monday.

What makes Ian and Kevin tick, wonders Peter Millar



er, also linked through to his father's son, it was also possible for Maxwell to retreat to it either to confer privately with his son during a meeting, or through it to gain access to his private lift and escape the building, leaving his guests to stew until some flunkies made appropriate excuses.

Ian inhabited an office at the other side of the octagonal tower, with a fine view over the gothic pinnacles of the law courts, a serene calm shattered twice daily by the clattering rotor blades of his father's helicopter landing on the roof a dozen feet above his head. Ian had a pair of his own

secretaries, in whom he inspired a loyalty that was to extend beyond disaster. When, after Robert Maxwell's death, the edifice started to collapse, there was a temporary lull as the sons won a breathing space from creditors: there was an enormous physical and psychological void in lives lived close to his overweening presence.

It was to escape that presence that his older children opted to live in the United States, a continent away and therefore at least out of bearing reach. In their father's lifetime, Ian and Kevin, for all the heir-apparent responsi-

bilities seemingly divested on to them, were inevitably thought to be waiting in the wings. They lived under a giant shadow, and who could tell which was the dauphin and which the Prince of Wales?

Yet in a year of working closely with the Maxwell family, I never saw signs of any feeling for their

father other than affection, albeit beneath an often palpable tension. When his father died, Ian certainly was deeply moved. Whatever cynics may say with hindsight, and whatever horrors have been uncovered about Robert Maxwell's business practices, his death left an enormous physical and psychological void in lives lived close to his overweening presence.

It was to escape that presence that his older children opted to live in the United States, a continent away and therefore at least out of bearing reach. In their father's lifetime, Ian and Kevin, for all the heir-apparent responsi-

ties, in whom he inspired a loyalty that was to extend beyond disaster. When, after Robert Maxwell's death, the edifice started to collapse, there was a temporary lull as the sons won a breathing space from creditors: there was an enormous physical and psychological void in lives lived close to his overweening presence.

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The campaign and, in particular,

about the prime minister's soapbox, ITN says: "It was to have been shown only if Labour won. The material is confidential. It may be that Emma Nicholson herself has asked us not to release it." Nicholson, MP for Devon West and Torridge, says: "I gave interviews to both the BBC and ITN, neither of which was used. But neither was uncomplimentary about John Major." In which case, he may be keen to see them for himself.

Beastly business

THE 6,000 animal lovers who fork out thousands of pounds a year to sponsor animals at London Zoo are likely to hear what is to happen to their adopted dung beetles and wood ants in the next week or so. As employees who face redundancy were meeting to discuss saving the zoo, its directors

are close to being restored. When he was chairman of the Commons

catering committee, Maxwell sold off the famous House wine cellar

try to reduce the deficit in the

the catering department. Now, almost

25 years after the last jerboa was sold, the cellar is being re-

stocked.

Colin Shepherd, Tory MP for

Hereford and current chairman of

the committee, says no bottles will

be unbroken for five years. "After

much searching, we eventually

found a suitable spot for the cellar,

and ceremoniously placed the first

bottle inside," says Shepherd. By a

twist of fate, the ceremony took

place on November 5 last year,

and was interrupted by one of

Shepherd's officials brandishing

a copy of that night's newspaper,

with the dramatic headline "Max-

well lost at sea".

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keen to see them for himself.

He is the club's oldest member,

George Malcolm Thomson, now 92, for-

mer political secretary to Lord

Beaverbrook. "I feel that an old

man like me should not play a part

in considering the conditions of

the future for younger people," he

says. "But I won't fall down in a

faint of honour at meeting some

charming person in the bar."

• Tony O'Reilly, chairman of

Heinz and one of America's high-

est paid executives, has not for-

gotten his Irish roots. As his fel-

low countrymen went to the polls yes-

terday, he was confidently pre-

dicting victory for the yes

campaign. "Ireland has benefited

greatly from its membership of the

EC," says O'Reilly, who in 1980

gained a doctorate in agricultural

marketing from Bradford Uni-

versity. "The thesis dealt with

poverty in Ireland before its mem-

bership of the EC. It's a very dull

read, but there's a germ of an idea

in it." His money is on a two-to-

one vote in favour of the treaty. "In

Ireland we have a man called Pat

O'Connor Par O'Connor who is

able to vote twice. I'm sure he

will have been out in force at the



COURT CIRCULAR

WINDSOR CASTLE

June 18: The Prime Minister of Pakistan was received by The Queen this morning.

The Queen with The Duke of Edinburgh honoured Ascot Races with her presence today.

BUCKINGHAM PALACE
June 18: The Prince Edward today opened the Royal Family Motor Show at the National Motor Museum at Beaulieu, Brockenhurst, Hampshire, and was received by the Lord Montagu of Beaulieu.

The Prince Edward, Chairman of The Duke of Edinburgh's Award Special Projects Group, this evening attended a dinner in support of the Award at City Hall, Cardiff, and was received by Her Majesty's Lord-Lieutenant for South Glamorgan (Captain Norman Lloyd-Edwards).

Lieutenant-Colonel Sean O'Dwyer was in attendance.

KENSINGTON PALACE
June 18: The Duchess of Gloucester today visited Derbyshire and was received on arrival by Her Majesty's Lord-Lieutenant for

Derbyshire (Colonel Peter Holton).

Her Royal Highness visited Hadfield Nursery School and subsequently visited Sunbeam Sawmill Factory, Hadfield, near Glossop. Later, The Duchess of Gloucester attended a Luncheon in aid of the new Community House in Glossop and afterwards visited Moorland House, Methodist home for the Aged, Hathersage.

This evening The Duke and Duchess of Gloucester were present at a dinner held in honour of the Prime Minister of The Islamic Republic of Pakistan (His Excellency Mohammad Nawaz Sharif), at Lancaster House, St James's, London SW1.

Mrs Michael Wigley and Major Nicholas Barne were in attendance.

THATCHED HOUSE LODGE
June 18: Princess Alexandra and Sir Angus Ogilvy this evening attended the Fomp and Circumstance Ball in aid of the Elgar Birthplace Appeal at the Savoy Hotel, London WC2.

Mrs Peter Afia was in attendance.

Memorial service

Dame Gwen Ffrangon-Davies
A service of thanksgiving for the life and work of Dame Gwen Ffrangon-Davies was held yesterday at St Martin-in-the-Fields. Canon Geoffrey Brown officiated. Mr Paul Scrofield read the lesson. Miss Anna Massey read *Remember by Christina Rossetti*. Dame Wendy Hiller read *A Sonnet from the Portuguese* by Elizabeth Barrett Browning and from the works of Canon Henry Scott Holland.

Mr George Baker read *Gloey of the Garden* by Rudyard Kipling. Miss Dorothy Tutin read extracts from Dame Gwen's diary and Sir John Gielgud, CH, read an extract from Shakespeare's *Romeo and Juliet*. Mr Nigel Hawthorne gave an address. The Stambourne Singers sang *Hark All Ye Lovely Saints* by Thomas Weelkes and Miss Hilary Jenkins sang *The Faery Song* from *Faust*. Broughton's *The Immortal Hour*. Among those present were:

Mrs Heather Macdiarmid, Mrs Nan Purvis, Mr and Mrs Robert Wescott, Mr and Mrs John Wescott, Mrs Rose Westwood, Miss Rebecca Falshaw.

Mr Timothy Rees, MP, The Hon. Helen Gwynne-Vaughan, Sir Alec Guinness, Lady Richardson, Sir Michael Redgrave, Sir Peter Redgrave, Sir Terence Stamp, Mr Robert Rietti, Mr Michael Redgrave, Mr Nicholas Wright, Mr David Ian, Mr Larry Dallal, Mr Ned Sherrin, Mr Anthony Quayle, Mr Michael Redgrave, Miss Margaret Tyack, Miss Hanan Gordon, Mr Peter Barkworth, Mr Peter Hall, Mr Michael Redgrave, Mr Clive Robins, Miss Sheila Fraser, Mrs John Hirsch, Mrs Simon Rattle and Mr Michael Redgrave, Mrs Maxine Andley, Mr and Mrs John Gau, Mr John Tindall, Mr Robert Rietti, Mr Michael Redgrave, Mr Geoffrey Bayldon, Mr Frith Banbury, Miss Joyce Grant, Mr and Mrs Tony Gurney, Mr Michael Redgrave, Miss Ery Black, Miss Anna Calder-Marshall, Mr Edmund Wimberley, Mr Michael Redgrave, Mr Clive Robins, Miss Kathleen Iris Stella Odge, Mr and Mrs J. McCain (measurer), The King's George's Pension Fund for Actors and Actresses).

University news

Bath
Mr H. Nicholson to be University Librarian
Mr P. Carr to be Director of Computing Services

Birthdays today

St Michael Alexander, diplomat, 56 The Duke of Atholl, b: Aung San Sun Kyi, Nobel laureate, 47; Sir Robin Brook, former president, Association of Chambers of Commerce of EC, 84; Dr Neil Chalmers, director, Natural History Museum, 50; Sir Terence Clark, diplomat, 58; Sir Alan Dicks, former Lord Mayor of London, 71; Lieutenant-General Sir Peter Duffell, 53; Miss Ena Evans, headmistress, King Edward VI High School, Birmingham, 54; Professor H.G. Hanbury, QC, 94; Mr Bryan Kneale, sculptor, 62; Sir Edward Lamb, diplomat, 91; Mr R.N.D. Langdon, company chairman, 73; Dame Unity Lister, former vice-chairman, European Union of Women, 79; the Earl of Minto, 64; Rear-Admiral Sir Morgan Morgan-Giles, former MP, 78; Brigadier E.J. Nolan, former director, WRAC, 72; Lord Justice Purchas, 73; Mr Salman Rushdie, writer, 45; Sir Alfred Shepperton, former chairman and chief executive, Wellcome Foundation, 67; Mr David Somersett, former chief cashier, Bank of England, 62; Surgeon Vice-Admiral Sir Derek Steele-Perkins, 84; Mr John Sutherland, civil engineer, 64.

Service dinners

RN College Greenwich
Mr Jonathan Aitken, Minister of State for Defence Procurement, is the guest of honour at a mess guest night dinner held last night at the Royal Naval College Greenwich. Commander E.F.M. Searle, Commander of the College, presided.

Royal Army Medical Corps
Lieutenant General Sir Peter Beale, KBE, QHP, the Director General of the Army Medical Services, together with 81 officers of the Royal Army Medical Corps assembled for their Annual Dinner on June 18, 1992, at the Royal Army Medical Corps Headquarters Officers Mess, Millbank, London.



Leonardo Linares, a Mexican craftsman in papier mache, confronts a Judas figure he has made for an exhibition at the Museum of Mankind in London. His work, including skulls, dragons and masks, is used in seasonal festivals

Today's royal engagements

The Prince of Wales will attend the annual conference of the Institute of Wastes Management at the Festival Hall, Torbay, at 12.10.

The Princess of Wales will open the new wing of the ACCORD Hospice at Hospital Grounds, Paisley, at 11.40; will visit the Paisley Centre at 12.40; will open the Eclipse Blinds headquarters at Inchinnan Industrial Estate at 1.30; and will visit the Princess Louise Scottish Hospital (Eskine Hospital) at Bishopbriggs at 2.35.

Prince Edward, as Chairman of The Duke of Edinburgh's Award Special Projects Group, will visit the Dolygaer Education Centre, at 10.10 and Merthyr Tydfil College at 12.45; will visit the Garden Festival Wales in Ebbw Vale at 2.20; and will visit Penn Pharmaceutical, Tredegar, at 4.00.

The Princess Royal, as President of the British Knitting and Cladding Export Council, will visit Fairholt, Northwick Road, Worcester, at 10.25; and as President of the Riding for the Disabled Association, will open the Holme Lacy Centre, Herefordshire College of Agriculture, at 11.50.

The Duke of Gloucester will visit the Essex Agricultural Society Show, Brentwood, at 11.15.

Princess Alexandra will attend the final concert of the Royal Overseas League's 40th anniversary music competition at the Queen Elizabeth Hall at 7.10.

Service luncheons

The Royal Ulster Rifles
Major-General H.E.N. Bredin presided at the annual luncheon of The Royal Ulster Rifles Officers' Club held yesterday at the Hurlingham Club.

Rajputana Rifles

Major E.K. Rawson-Gardiner presided at the annual reunion luncheon of the Rajputana Rifles held yesterday at the Naval and Military Club, Barrow-in-Furness. Princess Mukunda Kumar of Nawangar and Major-General D.C. Misra were the guests of honour.

Indian Grenadiers

Major J. Mottram presided at the annual luncheon of the Indian Grenadiers' Regimental Association held yesterday at the Duke of York's Headquarters. Captain and Mrs T.C. Wilkinson were the guests of honour.

Indian Parachute Regiment

Major J. Mottram presided at the annual luncheon of the Indian Parachute Regiment Association held yesterday at the Marconi Hotel.

Baloch Officers' Dinner Club

Brigadier J.P. Randle presided at a luncheon of the Baloch Officers' Dinner Club held yesterday at the Royal Over-Seas League.

Latest wills

Recent estates include (net before tax paid):

Mr Leonard Gold, of Stannmore, west London £2,275,360

Mrs Diana Margaret Murrell, of London SW15 £1,097,236

Mr George Edward Bennett, of Bexleyheath, Kent £772,990

Mrs Doris Campion Nichols, of Southsea, Hampshire £626,545

Mrs Kathleen Iris Stella Odge, of London SE1 £842,562

of Bournemouth £657,999

Mrs Elsie Maud Aldridge, of Abingdon, Oxon £698,130

Mr John Cyril Bosley, of Hove, East Sussex £552,417

Mr Francis Moore Dutton, of Whitchurch, Cheshire £936,068

Mr Ralph Frederick Green, of Dinas Powys, South Glamorgan £701,776

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forthcoming
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THE TIMES FRIDAY JUNE 19 1992

17

OBITUARIES

THOMAS
BERGMANN

Thomas Bergmann, public relations manager, impresario and journalist, died in Karlovy Vary, Czechoslovakia, on June 11 aged 67. He was born in Prague on July 18, 1924.

THOMAS Bergmann was conducting a Hoffnung concert for the Prague Spring Festival only a few days before he died. It was his first visit to his native country since 1948, when he escaped arrest by the communist authorities by crossing the Austrian border by night on foot. His adventurous life was reflected in his large, ebullient personality, in his mastery of several European languages and in the ease with which he celebrated his many friendships.

He was educated in Prague until, at 15, he was sent by his family to England as a refugee from the Nazi occupation. He served during the war in the Free Czech Squadron of the RAF, reaching the rank of squadron leader, and returned to Czechoslovakia in 1945 to take over the family publishing house. He at once threw himself into Czechoslovak politics and the commun-

ist coup of 1948 forced him out of his country for a second time.

Eventually he returned to England and founded the first public relations consultancy in the north-east — Thomas E. Bergmann and Partners — basing himself in Newcastle where he made his home. As well as being involved in PR, Bergmann worked as a music critic for the *Manchester Guardian*, as it then was, and the *Newcastle Chronicle*, and as a journalist for Reuters. He was also European correspondent for the *Denver Post*.

In 1976 he founded Allmusic International and as an impresario he was responsible for bringing a number of distinguished musicians to Newcastle. He also staged a Hoffnung Concert and met Gerard Hoffnung's widow, Anna, who was to become his devoted companion. With her he was to bring to life those concerts that unerringly revealed the funny side of music.

Together they commissioned new works and added commentaries to those originally commissioned by Anna's late husband Gerard. They presented concerts in America, Japan and Australia as well as in Europe. Tom's vast frame, exuding benevolence, made his way to the rostrum to conduct items such as Donald Swann's *Surprise Symphony*.

Tom Bergmann was a bon vivant and a wit. He played the piano with panache and had a character that was made up of equal parts of sauvage-faire and schoolboy mischief. He remained very Czech, retaining the Czech gift for music and quirky humour.

Mr M S Bergmann and Miss O A Hause White.

The engagement of Mr James Spalding, 21, of Birmingham, and Mrs Frances Hayes, 21, of Alabama, USA, and eldest daughter of Mr and Mrs William Hayes, of Lindisfarne, Northumberland, and Mrs John Hayes, of Huddersfield.

Mr M G R Welland and Miss F Doyle.

The engagement of Mr Michael John Gaskin, 21, of Bradford, and Mrs Pauline Park, 20, from Cirencester, Gloucestershire, and Mrs David Doyle, 21, of Hove, East Sussex.

Mr J Goldie and Miss J M Smith.

A service of blessing was Saturday June 6, 1992, at St Mary's Church, Dulwich, for the marriage of Jonathan Goldie, 26, and Mrs Jane Goldie, 26, of Cuckfield, West Sussex.

Mr and Mrs Michael and Jennifer Hammett, of Warrington, Cheshire.

Mr D M Gordon-Jones and Mrs L M Brink.

The marriage took place on June 11, 1992, at St Martin's-on-the-Hill, London, for the marriage of Mr and Mrs Elizabeth Gordon-Jones, daughter of Mr Nicholas Ballantyne.

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Game, upset, smashed

Jo Durie on the strengths that have made her Britain's No 1, and the weaknesses that leave her a global also-ran

We have been here before. A top British tennis player — the top British player, for no Briton is ranked more highly in the world than Jo Durie — is on court in a high wind under a cloudy sky. As I arrive I am told in whispered, funeral tones: "She's 4-1 down." I watch the match. She loses 3-6, 1-6. Her opponent, Renae Stubbs of Australia, is cool and insouciant. Not only is Miss Durie outmanoeuvred and outplayed by a younger, quicker, more aggressive volleyer, she is also unlucky with some terrible line calls and disturbed by a deafening helicopter which circles overhead.

There is a knot in the crowd's collective stomach because the agreeable Miss Durie, now 31, our former child tennis star, once ranked fifth in the world, is still, after 22 years in the game, the best British woman player we've got, so come on, Jo...

I have come to Eastbourne, in East Sussex, to see her in the Pilkington Glass International Ladies' Tournament, just a few days before Wimbledon begins, because Miss Durie seems to be on a wave of victory. Only the day before she had won easily, after beating Zina Garrison, the No 5 seed. This summer her holiday will be spent at a dude ranch in Arizona to play golf, and more tennis.

"This is my 14th year on the tour, and I'm ranked 36 in the world. I've had a really yo-yo career. I've come from being understudy to Virginia and Sue Barker to being ranked five in the world, and getting into semi-finals of Grand Slams to having a bad spell and down to my lowest ranking of 160, last August."

How did she so dramatically change her fortunes since then? "Well, in 1990 I played Newport, Rhode Island, and lost in the final to [Aranzazu] Sanchez Vicario in a really close three-set match which put my ranking up to 60. A year later, Newport was cancelled, and the only grass tournament outside Britain, so I could not defend my ranking. I had to play cement court tournaments in America. I lost in San Diego and then went to Toronto and played an awful match in the first round. I was bad-tempered, frustrated, tearful, upset on court, lost all three sets, came off and cried my eyes out. I just went out of the front gate and sat under a tree and I was absolutely in despair. I was feeling so bad, so sorry for myself, it was all on top of me."

"And Alan came out and sat down with me and said: 'This is not worth it, not worth getting in such a state about. Think about your life. Why put yourself through all this emotional turmoil, when you work so hard and keep practising, and not get anything back which is pleasant?'

"Well, from there we went to LA and, it's funny how things go, I just about scraped through my first match: the next round I beat Zina Garrison in the closest of matches, unbelievable tennis, I played so well. So I got to the quarter-finals. I thought: 'This is ridiculous, I am the same person as I was last week. Yet it feels as if something has been lifted off my shoulders.'

"Now I feel win or lose, I'm trying to win as I can: you've got to loosen up, Jo. I went on to the US Open, won three rounds, and beat [Helena] Sukova. I've tried to keep the same attitude ever since. It's not always easy, but I feel I've come to



and depression. It is the nearest thing sport offers to the pop business, complete with fans, hang-ers-on, minders, agents and mon-ey-men.

Hers is not an especially glamorous existence. She lives with her black cat Pickles in Enfield, Middlesex, in a house with a mortgage, practising daily with Alan Jones, her coach, at Hazelwood Club. Her idea of a good time is going out for a meal and a musical with friends. She skis every year, the only break from tennis. This summer her holiday will be spent at a dude ranch in Arizona to play golf, and more tennis.

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terms with myself. It's not just about winning and losing, it's about performing and getting pleasure from it."

This is the mature and balanced

Miss Durie at 31. Meanwhile, new

young high-flyers emerge and suffer

from massive over-exposure as,

immature and ill-equipped emotionally, they face the pressure and publicity, the fatigue and the hassles.

Monica Seles (aged 17) was

quoted only last week as saying:

"To be No 1 is a terrible cross. My life has become a prison."

Even her hairstyle was a promotional deal with a cosmetics company, worth \$60,000. What a weird life.

"I feel in a very sorry for any

British player who shows any sign

of being any good at this moment,"

Miss Durie says. "They pick on

someone as the saviour of British

tennis. So they will build you up,

write about you, put you on a

pedestal, be your friend, until

you're suddenly not winning any

more, and then my goodness, you'd

better be ready for some of the nasty

stories they write about you and the

way they can attack you and bring

you back down again. It's not very

pleasant. You have to build a kind

of shell for yourself."

"Remember Annabel Croft? She

got out because her nerve went. I'm

sure because of all the pressure, everyone expecting her to be The

Next One, and she couldn't handle

it any more. She was so unhappy

watching her suffer on court was

awful. I was glad in a way for her

that she got out. Sarah Gomer

showed promise but didn't quite

They build you
up, write about
you, put you on a
pedestal, until
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LIFE & TIMES

FRIDAY JUNE 19 1992



Long-service veteran: Jo Durie is still Britain's best hope for a first-round win at Wimbledon

come up to expectations. It's tough. Clare Wood is another good player. But everyone wants Wimbledon champions, and they're not interested in anything less. It's even worse for the men: there have always been two or three of us hovering round the top 100, but the men... if you discount Jeremy Bates, who else are you looking at?"

Miss Durie was born with the advantages of those who succeed in British tennis. The first factor was

access to a tennis court. The Durie family used to go every summer to

Lyme Regis, in Dorset, to the large,

grand house of Uncle Eustace and

Aunt Nora, who had a shale tennis

court. She and her two elder

brothers, who both played tennis at

county level and went to Cambridge and are now school-teachers, and her younger brother Stephen, who now coaches at a London club, used to muck around on the court.

By the time she was eight she was a member of the King's Club at Bristol, run by her godfather Denis Bendall: a man ahead of his time in that he encouraged the juniors.

"Any keen junior could join the club and he would have hundreds of us out there on Saturday mornings hitting balls and it was just so much fun. And he soon saw that I had more talent and needed individual tuition."

"It was the whole atmosphere. It

was our own little club, where we could go four nights a week, after school, rain or shine, and play under floodlight. That's what started me off. Denis's enthusiasm

for tennis was all the more

shocking when this man of equal temperament

fell to his death, seven years ago, at the foot of the Avon Gorge.

That was a harrowing time for Miss Durie. "I was glad I had tennis to put my mind to. I won the

nationals that year, I just immersed myself in tennis. He was great, my dad, with all of us, all he wanted

was for us to be happy. He was

fabulous."

The problem for the British player is the way British attention

focuses only on Wimbledon. "It's so unfair in a way. There are only two grass tournaments for women, and two for men, in the whole year, and

all these commentators suddenly arrive and ask: 'Who's going to win Wimbledon?' It's pretty tough on us all. It happens year after year. Any success we have elsewhere is hardly noticed. Everyone is looking for a Wimbledon winner and it's just not going to happen like that."

"We need to generate more interest throughout the year, to get people out onto tennis courts.

In America they have TV commercials with Paul Shriver or Chris Evert saying: 'Pick up a racket! Come try it in a park, see what

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it's like! Somehow we've got to get them playing."

"You have to look at what's happening at grass-court level to see if that's building up properly, then we can start looking for tournament winners and then for Grand Slam winners. But what do people expect? We haven't got that many youngsters playing tennis to start with."

She does her bit for the youth of Britain. She goes to places like Stirling, Glasgow, Plymouth, to do one-day coaching clinics as part of her sponsorship by Pilkington Glass. The best juniors in the region are brought out, 7,500 of them so far. "We try to give them a few tips and maybe inspire them a bit. We hope they help, but you wonder, where's the follow-up? Sometimes it's hard for these kids even to get to a tennis court, let alone to get coaching. So that's what we're up against."

In any case, she adds, consider tennis's appeal. For the good of the nation's health, it's more convenient than soccer, it's both competitive and fun, it gives you exercise and a social life and you can carry on playing for the whole of your life. Her mother still plays all year round, in a genteel ladies' four.

Few international tennis stars have emerged as emotionally unscarred as Miss Durie, even after her injury problems, with spinal surgery 10 years ago that took her out of the game for six months. When she injured her shoulder, she simply altered her serve to the very singular one she uses today.

Miss Durie is placidly eating an ice-cream cornet. Her clothes are by Robey, her racket is a Spin, her shoes are Adidas and Pilkington Glass ensures that her travel expenses, and Mr Jones's, are paid for, which all goes to keep her in the manner to which she became accustomed in youth. "If you spend a week in America, fares and hotel rooms come to £1,500, and that's a lot of expense if you have to pay the mortgage."

The partnership with Jones the coach has lasted since she left school in Bristol after getting her six O-levels and went to stay with him and his family. "We've had some terrible arguments. But our relationship is calmer now. He knows what I'm capable of. I've had to rely on his strength and he's been there for so long and never given up on me, as a coach and a friend."

At this point the familiar bespectacled figure of Mr Jones appears at her side and tells her she really ought to go and watch Linda Harvey-Wild, who is having a hard time on court 4 from Larisa Savchenko-Neeland. (Tennis women's names have lengthened as

their muscles have strengthened.) Miss Harvey-Wild is the 21-year-old American who saw off Miss Navratilova the day before and she is drawn to play Miss Durie in the first round of Wimbledon. "It's very educational," Mr Jones says. "She's good, but Savchenko is tying her in knots." We all troop off to watch Miss Harvey-Wild's nifty way of chipping the ball down the line. Mr Jones mutters into Miss Durie's ear throughout. "Yes", Miss Durie says, "it was very educational." (Harvey-Wild won.)

Every year the LTA announces "new initiatives". There is money available. Short tennis is to be introduced into schools. A tennis supreme is appointed — as Warren Jacques was in 1988 — then leaves the scene: little has changed. The dynamo coach from Florida, Nick Bollettieri, Andr Agassi's mentor, last year announced he would be working with LTA coaches to bring on British youth in the American style. Miss Durie has spoken out with passion about her despair over British tennis. "We should have regional centres with squads all over the country. We should have 40 players at Bisham Abbey [the LTA training centre], not four. I can't see how things can change."

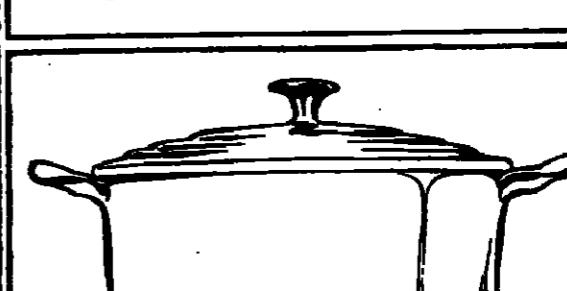
When she was 11, Dan Maskell told her she would win Wimbledon one day. The furthest she got was further than any other British player for years. Doubtless in the coming fortnight the same old questions will be asked: Are we hungry enough? Do we have the killer instinct? Is it just that we are such gentlemen (and ladies) and don't mind losing? Are British players "too nice"? People have often said Miss Durie, whose smile is more familiar than her scowl, is too nice.

"No," she says emphatically. "I wouldn't have got where I am today being too nice. I'm not too nice at all. I just treat everyone as you should treat other human beings. But when I'm on a tennis court, don't get me wrong: I want to win." Our dear old "Tennis, anyone?" was long ago laughed out of court, and our game of "Sorry" and "Good shot" and "My service is hopeless" really is now the different ball game of the cliché. But even Miss Joan Hunter-Dunne had "the speed of a swallow, the grace of a boy" — and no sponsorship. Come on, Jo.

TOMORROW

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Too young to live, too small to die

What chance does a premature baby have of making it through to a healthy childhood? Jenny Cuffe reports

Brett's hand is the size of his father's thumbnail, his body the length of a man's watch strap. He was not due to be born until mid-September, yet here he is, already three weeks old, attached to life by a criss-cross of thin tubes, one into his nose, another into his mouth, another into his scalp and another into a vein in his arm. Lying flat in a Perspex cot with his legs and arms splayed out, his red, wrinkled face peeping out of a woolly bonnet, he reminds his mother of an ancient tortoise.

Throughout her pregnancy, Chris Greenwood had been bleeding, an indication that there may have been something wrong with the placenta. Doctors at her local hospital in Halifax, west Yorkshire, recommended bed rest. She already had a five-year-old son, so that was easier said than done. But last month, when Mrs Greenwood was five months pregnant, she was forced to spend a few days in hospital. While she was there, she went into labour. Doctors can't say for certain why some women give birth prematurely. There was an attempt to stop labour with drugs, but this did not work. By the time Mark, her husband, arrived, she was having contractions every five minutes. The midwives told her that at 23 weeks gestation the baby was bound to be born dead. Somebody came in and asked her if she wanted it incinerated or buried.

"I couldn't believe that anyone could be so insensitive," Mrs Greenwood says. "I could feel the baby moving inside, but here they were telling me it was as good as dead." Frances Hargreaves, her mother, remembers seeing staff move the cot away from the labour room. Mrs Hargreaves says she had to insist that an incubator was brought in and heated, just in case her grandchild was alive. It seems

little Brett shared his grandmother's determination. As soon as he was born, at 9.55pm on May 23, he cried and stretched out an arm. Without hesitation, medical staff put him on a ventilator and rushed him into intensive care.

His parents saw him properly for the first time an hour later. They were astonished by how small he was — 1lb 5oz. Mr Greenwood says: "He looked totally different to

what I expected a baby to look like. His skin was so transparent you could see everything."

When he was a few hours old, Brett was transferred to the regional neo-natal unit at Leeds General Infirmary, where he is now in the care of consultant paediatrician Professor Malcolm Levene. A baby born 17 weeks premature, as Brett was, has a one in ten chance of survival. According to Professor Levene, Brett is on the very edge of life, the limit of viability.

No baby younger than him has survived in Britain. Tyler Davison, the baby born this week in Nottingham weighing 11oz — the smallest surviving baby for 50 years — is only 11 weeks premature. Were it not for Tyler's size, his chances of surviving would be far higher than Brett's: the success rate increases dramatically with age. Babies born at 24 weeks have a 25 per cent chance of survival; at 26 weeks this rises to 50 per cent, and at 28 weeks babies in Leeds have a 90 per cent chance.

Over the past decade, advancing technology has allowed doctors to push back the limits of viability. The introduction of an artificial surfactant (a fluid lining naturally present in mature lungs which helps us breathe) has stopped immature lungs from collapsing. Technicians have developed smaller instruments. Ventilation techniques have been refined.

However, the price of survival may be high. The younger the baby, the more likely he or she will need ventilation, in which gases are blown into the lungs under pressure. But this may lead to chronic lung disease. Most of these babies start to breathe unaided after three or four days, but the very premature may stay on the ventilator for several weeks. Fragile blood vessels mean premature babies are prone to brain haemorrhage, and many suffer from necrotising enterocolitis, a condition of the bowel which leads to problems with absorbing food. For those who survive, there is a 5 per cent risk of severe handicap, and a 10 to 15 per cent risk of some form of disability.

Technological advances in neo-natology have led to the fear that premature babies are being kept alive when their chances of long-term survival and health are doubtful. Professor Levene says that by the time a baby is referred to his unit, a decision has already been made to start treatment. But he does not believe that this commits doctors to continue intensive care indefinitely. The situation has to be constantly reviewed, and at any time medical staff and parents may face the decision about whether or not to withdraw treatment.

While Brett Greenwood is in one Leeds intensive care ward, a 24-week-old baby is brought into another. There are signs that he has suffered a brain haemorrhage, and his teenage parents are warned about the possible outcome. Over the next few days doctors and nurses keep them fully informed about their baby's condition. There is more bleeding into his brain, and nothing more can be done for him. He is taken off the ventilator and dressed in white baby clothes. His parents hold him in a quiet room for several hours, until he dies. The nurse who has been looking after him leaves the unit in tears.

The staff at Leeds are aware of the enormity of deciding whether to withdraw treatment. They stress that the final voice has to rest with the parents, and that their role is to guide them by offering an accurate and honest picture of the baby's condition. Professor Levene believes that the death of a baby should not be regarded necessarily as a failure. "We mustn't see success as being lots of healthy babies who survive lots of neo-natal intensive care. Success can also be a baby who has died because of an untreatable condition, but who has been known and loved by his parents."

doctors and parents work very much on their own. So far, the law has left such decisions in their hands. Clinicians are guided by the Hippocratic oath, which says that they must act for the benefit of their patients, but that above all they must do them no harm.

What parents need to know is how accurate the medical predictions are. An understanding of neurology and experience in analysing scans has taught Professor Levene and his senior colleagues how to predict the effects of damage to the brain, but some of the other medical complications cannot be foreseen. Once doctors and nurses have embarked on treatment, it is harder for them to discontinue it. At Leeds they admit that in some cases they may have carried on trying a bit too long.

"The big problem is that we're all human," Professor Levene says, "and we're making difficult decisions based on sometimes inadequate information, without having the benefit of knowing what's going to happen in the future."

There is no doubt that the right decisions were made for Andrew

Puckering. Born 15 weeks early, weighing 1lb 6oz, he is now a chubby seven-month old. Robert and Mary Puckering spent the first few months of their baby's life hoping for the best one moment, expecting the worst the next. Andrew suffered several complications, including a pulmonary haemorrhage, but each time he fought back. Now, he is apparently doing all the right things for a baby born on February 18, 1992, which is when he was due, rather than his actual birthday of November 6, 1991.

The Puckers have been told that Andrew has a one in five chance of developing asthma, and that he may be more susceptible in his first year to coughs and colds, but by the time he goes to school there should be nothing to distinguish him from a baby born at full term. As Mr Puckering says: "We started off with perhaps nothing, and finished up with everything. We're very lucky."

• Jenny Cuffe reports on neo-natal care for Public Eye tonight (BBC2, 8pm).

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Holding to life in Leeds: babies born at 24 weeks have a 25 per cent chance of survival; at 26 weeks, 50 per cent, and at 28 weeks, 90 per cent

'We started off with perhaps nothing, and finished up with everything'

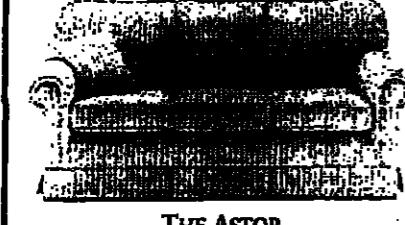
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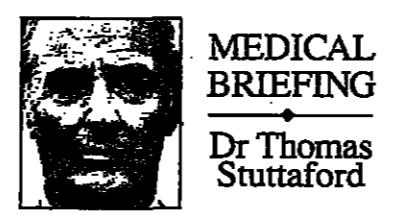
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Doctors in distress



MEDICAL BRIEFING

Dr Thomas Stuttaford

The general public is unlikely to be reassured by the views expressed at this week's conference organised by the British Medical Association on stress-related symptoms among doctors. It seems that the doctor's psychic armour is as liable to buckle under the tensions of dealing with the general public as anybody else's.

Reaction to stress varies and the increasing importance given to A-level results rather than personality in choosing doctors makes it unsurprising that some of those selected are unable to take the considerable strain. Younger doctors are less likely to have come from a medical background which accepts its tribulations and there is no longer the same support of colleagues or the boost to morale provided by social status.

The impact which adverse circumstances have on a personality depends on many factors. Some people will, mistakenly as it happens, be demanding tranquillisers while others when confronted by the same situations will remain totally relaxed. There is certainly a genetic factor which determines response to stress just



as some breeding lines in animals have more progeny who are highly strung, do some families. Unfortunately the very people who carry the genes which would make them likely to succumb to stress are the same ones who are unlikely to provide a relaxed and happy family background

Confidence restorer

In an hour or two in a clinic dealing with genito-urinary medicine would be long enough to convince any by-stander that many doctors are reluctant to discuss a patient's sexual problems. A common complaint from men is that if they suffer from premature ejaculation they have received little help from their own GP.

Waguih Guirgis, a consultant psychiatrist in Ipswich, has recently written in the medical journal *Update* on the changing approach to premature ejaculation. Once, it was thought to be due to over-enthusiasm and the measures considered appropriate to reduce sexual excitement ranged from anaesthetic creams, to wearing two condoms, to teaching patients to think about some chastely haridan rather than their partner, which would seem to defeat the object of the exercise. Later, when premature ejaculation was considered to

be a sign of anxiety, Masters and Johnson taught a stop-go technique, so that sexual stimulation was temporarily suspended at the point before ejaculation became inevitable.

In all probability the causes of premature ejaculation vary. In some it may be due to an excess of youthful vigour, whereas in others anxiety may be responsible. The first really helpful drug in its treatment was clomipramine Anafranil, usually used as an anti-depressant. It was found that one of its side effects was to delay ejaculation. More recently the 5 HT re-uptake inhibitors, the newer and safer anti-depressants, have been shown to be even more effective in this respect. No doctor would prescribe drugs for any length of time for premature ejaculation but they have a role in restoring, or creating, confidence in a man whose domestic life may have crumbled because of this symptom.

High-risk factor

During the second world war the habit of stressing one particular aspect of the war effort for a week became established. Doctors have followed the lead and now designate certain weeks to draw attention to particular diseases: this week is hepatitis B week.

Hepatitis B, which used to be called serum hepatitis, or jaundice, is worldwide one of the commonest causes of death from cancer. Whereas in Britain it only affects a small minority, in many Third World countries up to 60 per cent of the population have had the disease and may well remain carriers. Infection of the infant occurs during the perinatal period: decades later a minority will develop fatal primary cancer of the liver.

In Britain the disease is usually spread by blood, semen and vaginal fluids, and possibly even saliva; in consequence medical staff, people looking after children or the

for their children: one of the few factors which are known to predispose to sensitivity to stress is insecurity in childhood.

What is euphemistically described as stress is essentially the same condition which in the past was more unkindly called an anxiety neurosis. Anxiety states, which can either be acute or chronic, exhibit both physical and mental symptoms. People harried beyond endurance by the trials and tribulations of life may start to lose concentration, with memory becoming poor and reasoning flawed. They become cross, edgy, irritable, suffer from light sleep and insomnia and may display many of the features of a minor depressive episode. Small wonder that the BMA must provide care for its members who are so afflicted.

Physical symptoms of anxiety can be divided into three groups. Some are due to an over-stimulated autonomic (spontaneous) nervous system — a rapid heart rate, shaking, sweating, indigestion, an over-active gut and a sensitive bladder so that sufferers are forever rushing to the lavatory. The stress patient is a tense patient: the second group of symptoms are due to muscle tension which can distort the spine so that the patient suffers headaches, shoulder and chest pain and backache; limb muscle tension makes them feel tired and heavy. Finally, anxious patients hyperventilate; at best they take long, sighing respirations, at worst they breathe so rapidly that they suffer chest pains, faintness and a tingling in the hands and feet.

Win a



Free

mentally subnormal, as well as homosexuals and promiscuous heterosexuals are at greatest risk. Most experts on liver disease who see the damage which hepatitis B can wreak in the early stages of the disease — and many years later — feel that now that more people are travelling to exotic places and former citizens of the Third World are coming to live in Britain, that it is no longer adequate, let alone good, community medicine to limit the injections against hepatitis B to high-risk groups.

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the town and
environs of Le Mans

OUT of earshot of the snarling engines and squealing tyres at the Terre Rouge bend, there is another Le Mans, and a peaceful region often overlooked by British visitors to France. Le Mans is one of those names like Stilton or Twickenham which, for most who hear it, do not denote a place so much as something that happens there.

At least to the French the name also brings to mind *rillettes du Mans* — the feather-light local transfiguration of potted pork — as well as the 24-hour race. For the British, the town is almost a blank, and its hinterlands along the Sarthe and the Loir an undreamed territory to be crossed in the dash to the south.

A couple of hours' driving beyond Le Mans brings one into sight of the white pinnacles and crowded tourist traps of the other Loire — feminine, not masculine, in gender and a far moodier and stronger stream than its mild male near-namesake.

The area between has great interest and charm in its own right. It is a little less strenuously devoted to wooing the tourists than the Loire, and it makes a pleasant stopping point on a leisurely journey to the south.

The city was a place of significance long before Gustave Singer and Georges Durand launched the 24-hour endurance race in 1923. The old town, on a bluff above the Sarthe, is a small enclave within a busy modern city, and a highway in a cutting slashes across the middle of it. But filmgoers might recognise parts of the jumble of half timbered 15th century houses and classical town houses of later centuries.

The British may have been the first to notice the area's potential for developing when that may have been the last time they heard of it, but to the French the area is there to be exploited, nothing to be gained from it. As Mr P. Léonard, a Parisian entrepreneur, pointed out: "We've got to have it."

France always has had a soft spot for the sweet *ingénue*. And even in the early 1950s, they did not come much more ingenuous than young Jill Raymond, carefully brought-up Catholic child of an affectionate family, who had reached the age of 20 without setting foot abroad: "I hadn't even been to Scotland or Wales." She was, however, blossoming excitingly as an actress, playing with Michael Redgrave in Strindberg's *The Father* and taking the lead in a British film called *Woman in the Hall*, "which died without trace. I was Jean Simmons's sister." And that summer, a television series provided her with an unusual flush of money and a six-week summer break. So she took the plunge and went abroad.

The woman who looks back now on that time became Jill Freud, the wife of Clement Freud and mother of five children, and under that name runs her own theatre company, opening shortly in its annual season of light repertory at Southwold, in Suffolk. She knows France, eats French, as middle-class travelling adults do. But Mrs Freud becomes misty-eyed when she recalls what the

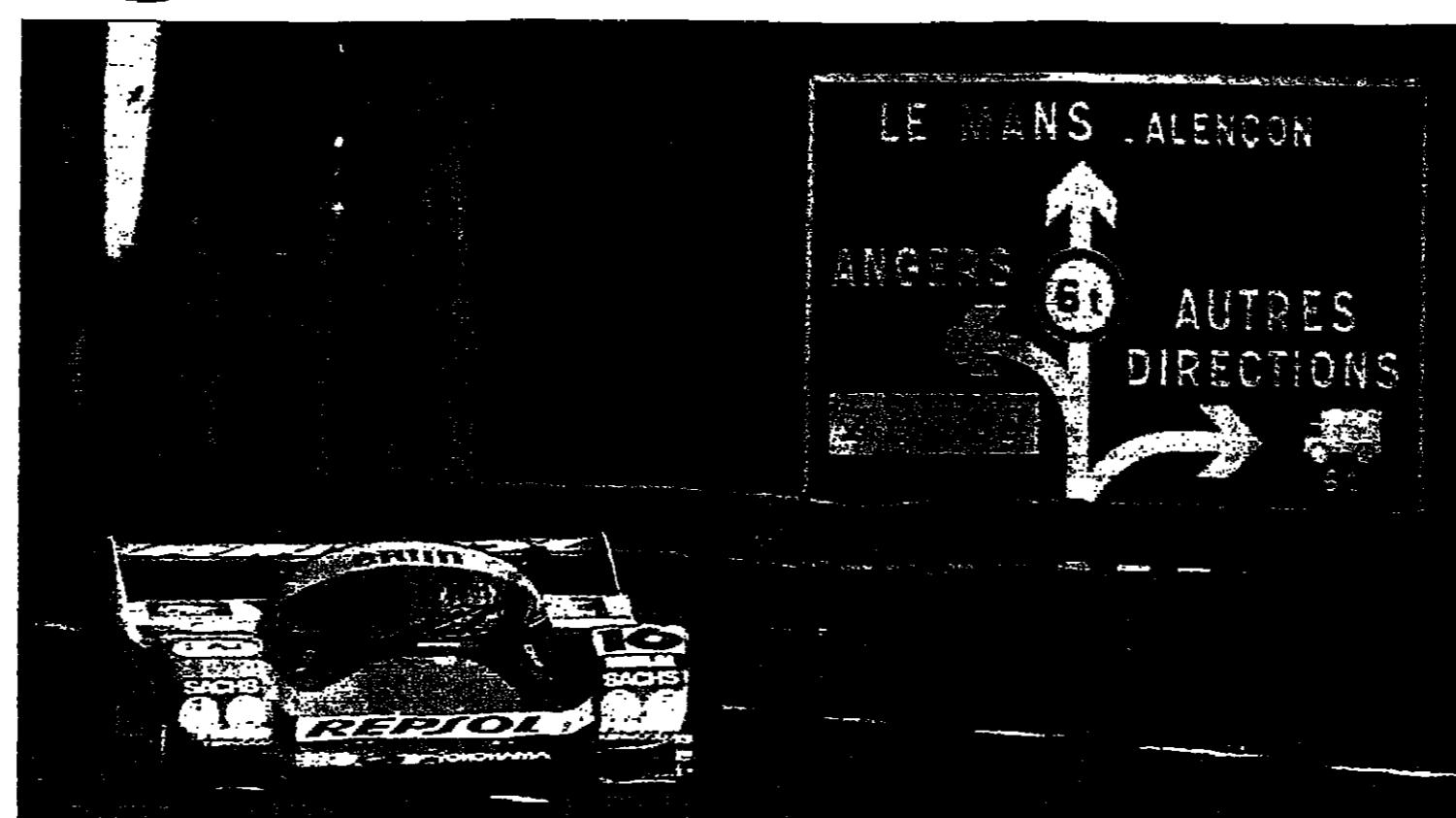


Image of power: but Le Mans was a place of significance long before the 24-hour endurance race was launched in 1923

because much of the film of Cyrano de Bergerac was made there. During the filming, the steep alleys under the cathedral were intriguingly embellished by additional outcrops of crumbling medievalism, indistinguishable from the originals until one looked behind, and found they were only one brick thick.

The cathedral gives a similarly disorienting impression, because it begins as a sturdy no-nonsense romanesque nave, and then suddenly transforms itself into one of the most extraordinary efflorescences of high gothic, bristling like a porcupine with flying buttresses and radiant with 13th century stained glass. Some critics (free of local bias) judge it to be the finest gothic chancel in France, which means the finest anywhere.

The main road south leaves in peace the chief attractions of the valley of the Loir. Quiet towns like la Flèche and la Châtre lie beside the river. Vendôme, Châteaudun and Le Lude have pale turreted châteaux, very similar to the more famous ones that overhang the big Loire.

Le Lude puts on a *son et lumière* display every summer. Many other châteaux do the same, but at Le Lude more than 100 local people join drill and dance in the pageant every year.

I found the village band marching up the narrow main street, followed by every inhabitant old enough and young enough to walk. At the same time the *pompiers* were giving a demonstration of how to dislodge a hornet's nest from a chimney (the hornets throwing themselves into the spectacle with enthusiasm), and procession and demonstration became cheerfully entangled.

The landscape of the Loir is not as flat and sandy as the region of the Loire is in places, and because the smaller river is relatively smooth-flowing it is more suitable for water sports such as swimming, canoeing and cruising. As in other regions, it is possible to make expeditions for several days by canoe (or by bicycle, on foot, or in a horse-drawn caravan), with one's baggage taken on separately to each night's destination.

Places to stay range from camping sites (the riverside one at la Flèche is attractive) to comfortable small town hotels, such as the Relais Cicero in La Flèche — one of those decorous French establishments where a wall of creepers and an iron gate seem to bar outsiders from a glimpse of white shutters and a shady courtyard.

There are few restaurants of wide renown, but many of ample compe-

tence, such as the Hotel de France in La Châtre. Travellers seeking a lodging with more character than a hotel will find a wide variety of *Chambres d'Hôtes* to explore, including the Château de la Présentation, at Lézigné, where rabbits crop the lawn and white ducks peacefully swim on the pond.

GEORGE HILL

• Further information: Association pour le Développement de la Vallée du Loir, 5, boulevard René Leysseur (Passage du Commerce), 72000 Le Mans. The Le Mans 24-hour race starts at 4pm Saturday, June 20 and finishes at 4pm on Sunday, June 21. Further details from the Automobile Club de l'Ouest, Château des 24 Heures, les Rougeries, 72100 Le Mans (02 33 43 24 24).

TOMORROW: In Weekend Times the best of Normandy

Adventure into innocence

new country meant in that first summer.

"I only had schoolgirl French. A pass in school certificate, not even a credit. But I suddenly decided to rent a villa in the south of France off my own bat for a month, and told all my friends they could come. The place was called La Napaule, halfway between Cannes and Nice, and it cost hardly anything then. It's all built up now, but then it was a village. I took £25 with me, bought everyone presents, and came back with a fiver. The whole thing should have been an absolute disaster, but out of sheer ignorance it somehow worked.

"I went with a friend who was having a mini nervous breakdown and wanted to recover. We went by train and even the train smelt different, and when we went to dinner we didn't understand at all, because the vegetables came and you waited for the meat but the meat came later. We had a *couchette*."

Nothing diluted that first impact.

FIRST IMPRESSIONS:
JILL FREUD



"I don't think I was very imaginative, and I hadn't understood from school geography that everything would be strange. I hadn't conceived that things could be so shatteringly differ-

ent." Not yet as cynical and sated with tourists as the south is today, La Napaule took Jill and her friends to its bosom. "I talked a lot of terrible French and loved it. All that month people like cameramen and actresses and my sister and her husband from Egypt kept turning up. The landlady thought we were mad, sleeping all over the place."

The food, after the post-war dreariness and nursery rectitude of the British diet, was another revelation. "I remember thinking bouillabaisse was just wonderful. And drinking wine, which you had all the time and which was entirely new to me. I was just in love with it all."

People were terribly nice to me, always. I suppose I was very naive, and it never occurred to me that anyone might disapprove of us all in that house. It's the effect of living in a loving family: you expect people to be kind to you. I remember a whole crowd of us going up to Vence in the Alpes-Maritimes and having lunch

LIBBY PURVES

Test your knowledge of Paris and the Parisians in today's competition

Win a short break in Paris

The Times in association with T.A.T. European Airlines and Copthorne Hotels, is giving readers the chance to win one of five luxury two night breaks in Paris. The winners of today's competition and their partners will be flown by T.A.T. European Airlines, to Paris. In Paris they will stay for two nights at the new four star Hotel Copthorne Charles de Gaulle in Roissy. Today's winners will also receive two complimentary tickets to visit the Château de Chantilly.

To enter telephone our competition line on 0891 700 149 before midnight tonight. You will be asked to give your answers to the questions apply — available on request.

THE QUESTIONS

- Who designed the glass pyramid that now forms the main entrance to the Louvre?
- Name the cemetery where Balzac, Chopin, Oscar Wilde and Jim Morrison are buried.
- Where in Paris is Napoleon's tomb?

Tuesday's answers are:

- Louis Blériot, 2. A station.
- The Bourse, La Défense; 8th arrondissement (any of these three was accepted).

Wednesday's answers are:

- Prison du Temple and then Conciergerie, 2. Pont Neuf, 3. Ille de la Cité

TAT 

Free return trip to France

THE exclusive Passport to France travel offers continue with The Times giving you the chance to take a car with family or friends to France free. Readers sailing to France with Sealink Stena Line ferries before August 31, 1992 can

get a free ticket for a return cross-Channel trip from September 14 to December 17, 1992.

The offer is available on the Dover-Calais, Southampton-Cherbourg and Newhaven-Dieppe routes and gives you the freedom to do as you like, relaxing on a beach or sampling the local produce. To qualify for our exclusive Sealink offer, readers of The Times are invited to book and pay for an all-in car standard return at the brochure price for travel before August 31. The all-in car standard return fare entitles up to five persons (including the driver) to take a length of car Sealink for a minimum seven-day stay.

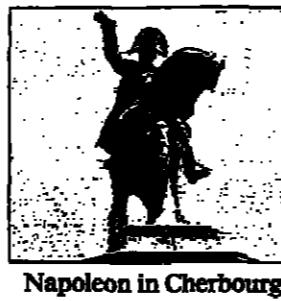
Readers will then be entitled to a free ticket on Sealink's all-in car up to five days' fare/return for travel between September 14 and December 17 inclusive.

HOW TO BOOK

Readers should book their travel before August 31 by contacting their local Abta travel agent, motororing organisation or calling Sealink direct on 0233 615222, Monday-Sunday. Readers will then receive a voucher and a booking form entitling them to a free ticket for travel between September 14 and December 17, 1992.

After completing the first journey, readers should attach to the application form the counterfoil of the first ticket and ten different Passport to France Sealink tokens from The Times and The Sunday Times between June 14 and June 27. Your free ticket must be used on the same route as your first journey.

Readers will then be entitled to a free ticket on Sealink's all-in car up to five days' fare/return for travel between September 14 and December 17 inclusive.



Napoleon in Cherbourg
Cherbourg is the gateway to the D-Day battlefields, the abbeys of Caen, the Bayeux tapestry and the beaches of Brittany.

At the southern end of the Cotentin peninsula you find the Mont St Michel rising in the sea or in the mud. Going down the east side of the peninsula you can turn off to the 1944 Normandy battlefields of Utah Beach and Omaha Beach. At the foot of the peninsula is Bayeux, with its 70-metre long tapestry.

Art that spans the centuries

FESTIVAL FRANCE:
SULLY

St John's College, Cambridge lend a British note to the third weekend, when the remarkable Russian pianist Elisabeth Leonskaja will also give a recital of works by Schubert and Chopin on July 4.

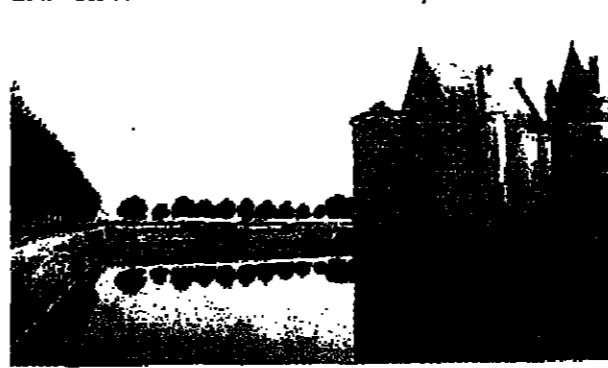
The weekend of July 10 features a performance by the Ballet Theatre of St Petersburg of two ballets by leading contemporary choreographer Boris Eifman.

Baroque is celebrated once again on July 17 when Britain's Gabrieli Consort Choir and Players perform in the magnificent Cathédrale Sainte-Croix in Orléans.

The festival concludes with Ray Charles and his orchestra at the château on July 19.

SUSAN BELL

• For information and reservations contact: Festival de Sully, BP 58-55600 Sully-sur-Loire (0133 38362946).



Medieval backdrop: the château of Sully-sur-Loire

Properties of the week



WHAT YOU CAN GET FOR
£15,000 to £20,000



For £15,000 (including agency fees), you can buy this detached stone-built cottage and former distillery in Cognac country, a few miles from the old town of Barbezieux, in the southern Charente. The nearest airport is Bordeaux, about an hour and a half's drive, and Caen can be reached in five hours.

Situated in a peaceful medieval village, the property, with pretty gardens back and front, is structurally sound, but needs renovation. It has two rooms on the ground floor, with oak-beamed ceilings and a huge fireplace. A wooden staircase leads to a large attic, which could be converted into two bedrooms. It comes with a vast workshop and an adjoining open-sided barn. The UK agent is Western France Properties, 70 Brewer Street, London W1 (071-734 9002).



The same sort of money — £15,000 (including agency fees, taxes and notarial costs) — will buy this rambling village house, near Arles-sur-Tech in the Pyrénées Orientales, near the Spanish border. The airport at Perpignan can be reached in 50 minutes, but allow 12 hours for the drive from Calais.

Stone-built on three storeys, the old house has a big rear garden and magnificent views over the mountains beyond. It is shabby but habitable, with mains water and electricity. There is a kitchen/dining room, fireplace and we at street level, with a living room, two bedrooms and a room that would convert to a bathroom upstairs. The UK agent is Barbers, 427-429 North End Road, Fulham, London, SW6 (071-381 0112).



Further north, in Normandy, £18,000 will buy this detached stone tin-roofed house, surrounded by lush, undulating countryside, not far from Vire. Caen (Ouistreham) is 45 minutes' drive. It is in good condition, but needs interior redecoration, a new bathroom and wc. There is a large living room and fitted kitchen, with three bedrooms, plus loft and wine cellar. The UK agent is Sinclair Overseas Property, The Business Centre, PO Box 492, Leighton Buzzard, Bedfordshire (0525 375319).

CHERYL TAYLOR

• Details of properties are supplied by British and French estate agents. Bear in mind that *habitable* does not necessarily mean comfortable.

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Dimbleby of the green acres

Alan Franks meets the new president of the Council for the Protection of Rural England

It is not *de rigueur*, yet, for a conservation group to be fronted by a celebrity. But goodness, it is becoming common: sufficiently so for there to be little or nothing incongruous about seeing Jonathan Dimbleby emerge from a grand building of St James's Street, as he did this week, as the president of the Council for the Protection of Rural England (CPRE).

What is incongruous, however, is the identity of the building, the headquarters of the Royal Overseas League. True, young Dimbleby is just back "Rio-lagged" from the Earth Summit, and is much travelled in pursuit of his trade, but surely the CPRE is one organisation whose practical remit does not stretch to the rescuing of rainforests. Even he is not quite sure why he is here.

He is dressed more for chairing than for conserving, but there is a bright patch of verdure on his otherwise urban aspect. This is the CPRE badge, which is now sported by a membership of some 45,000 in an organisation enjoying the best revenue in its 65-year history. The meeting just held was that of the CPRE's general council, which has ratified his appointment. This is what might be termed a sustainable, or at least renewable system of presidency, with no hard and fast rules about length of tenure. For example, his predecessor, the film producer David Puttnam, stayed for seven years. It was the persuasive combination of Mr Puttnam and the council's chairman, David Astor, that approached Mr Dimbleby.

When asked about job description, or agenda, he becomes a straightforward mixture of two English archetypes: the thoroughly briefed environmentalist of the Portrett generation, the kind who knows that there is no longer room for windy romanticism; and the stylistic heir to Ludovic Kennedy, famously popping in to help out on his way to the club. "Patrician" is a tempting definition, but unfair.

The organisation over which he presides is one of a bewildering set of initials in the growth area of British rural "protection". It is an area in which some three million citizens have at least one paid-up affiliation. Picking a path through this field can be as daunting as following a right of way over the land of a plough-happy farmer in

'I feel that I operate in territory that is common ground. It is a body that can speak for everyone'

policy successes of 1991 a government commitment to legislate for the protection of hedgerows; the announcement of 12 new Environmentally Sensitive Areas, which will extend the principle of paying farmers for positive countryside management; and, most important, the acceptance of environmental assessment in primary legislation for the first time.

It is the international Dimbleby, as well as the domestic one, that is buoyed by this last development. There is an absolute consensus imprinted through the Rio declaration that the environment is of critical importance. All the territory occupied by the CPRE is within the broad framework of that recognition. I feel that I operate in territory that is common ground. I strongly believe that it is a body that can and

should speak for everyone. If people see it as some special-interest rural group, then I think they are getting it wrong. If it is in any sense a Nimby organisation, then it is Nimby for all, by which I mean that there is one backyard on which we all depend. There are any number of policy issues involved in how we protect and enhance that yard, but I wouldn't have been in it [the CPRE] if it had been merely to protect the rural dweller against the invasion of the outsider."

Groups such as this one are at best canny and at worst naive to attract presidents who bring fame as their dowry. When the arrangement works, the organisation increases its own profile. When there is a clash between individual and outfit, it can become a downright liability. Mr Dimbleby is likely to take the careful way, above all sticking to the views which would probably be endorsed by most members on the executive committee.

This brings us to the question of impartiality—or the partial surrendering of it. If you look at some of Mr Dimbleby's famous past counterparts at other organisations, you come across figures who were, in the literal sense of the word, prejudiced: David Bellamy at the Youth Hostels Association; Mike Harding at the Ramblers' Association; after him the landscape photographer Fay Godwin; arguably even Brian Redhead at the Council of National Parks. Prejudiced in the sense that their known inclinations made them seem not only compatible with the particular group, but also something beyond that: good proselytisers. Mr Dimbleby brings, by contrast, the image of a chairman. Surely these two roles cannot live happily in the same person, and is this not a hard fact of public lives? The question comes to him as no surprise, and his answer is long and considered:

"I thought very carefully about the implications before accepting. My instinct is, of course it's a campaigning group, but it is not party political. In fact a large number of the issues it deals with attract support from right across the parties. I would not—and indeed would not be asked to—carry banners across Twyford Down; that is not the CPRE style. If there is a particular issue on which I, as president, stand up and say

There is a great error here", then I don't think I could expect to make a TV programme on the subject. To that extent, I am limiting my job opportunities. But I do expect to go on making programmes in which the environment is an issue. And I would be surprised if my role at the CPRE makes people say 'Dimbleby is so *parti pris* that he cannot possibly go on making programmes on that subject'. There are many broadcasters with passions. Those passions may be about sport, or opera, or whatever. No-one is saying of them that they are unable to broadcast impartially. I would pose the question 'Can a humanist chair a discussion on the virgin birth?' and I would say that the answer is yes."

A modesty, chairmanlike rather than presidential, seems to claim him when he is asked to say in his own words rather than someone else's why he was so courted by Messrs Puttnam and Astor. There is no receling off of the relevant c.v.



Country voice: Jonathan Dimbleby will not carry banners—but he is still prepared to stand up and say "There is a great error here"

experts. In fact there is an alarming falling back into the double negatives and thirdpersons of polished reticence: "not wholly incompetent at organising my ideas... not entirely unwilling to say what I think... use what modest talents one has..." Broadcasting it isn't.

However, in the course of all this, it turns out that he went to Cirencester Agricultural College, and very nearly became a farmer. He was brought up in Sussex, where his father had 30 acres. There can be few television presenters with a comparable field credibility in lamb delivering. If his father had not died when he did, it is possible that someone else would now be chairing *Any Questions* and doing all the other things that he does. But there are no lost-career regrets. If you wanted him to, he could launch into a detailed critique of the Common Agricultural Policy or set aside.

When Mr Dimbleby sallies forth into the shires, and goes deep into the differing heartlands of CPRE membership, he will encounter virtually every one of our national types who ever took up arms—actually or otherwise—in defence of the countryside. Apart from those who favour, as he does, the CPRE's consensual approach, there are a few who believe that a land *in extremis* must take recourse to measures and allow no further rural building whatsoever. Such people are not given to delivering their views with reticence. What will he do about them?

He smiles his unexceptionable smile; more chairman's smile than president's smile. But not a bland smile, for he seems to recognise the type under scrutiny. "I know this sounds like an easy old escape route answer, but it is the truth: I will do what is appropriate. I live in a part of the countryside, just outside Bath, which is under enormous pressure. It is Green Belt land, an

AONB (Area of Outstanding Natural Beauty) on the southern edge of the Cotswolds. It is immediately by the A46, which is under great pressure to be extended. I am very aware of the pressures on a valley like that, and I do not believe you can resolve all those just by saying no. You have to do that far harder thing of trying to provide convincing arguments about what are the best options.

"I like the CPRE for not shouting the odds, but for arguing cogently and precisely. It has a highly developed intellectual framework, so that when it deals with the authorities, local or national, it does so in language and on terms which is hard for politicians to resist. This does not mean for a moment that they [politicians] will agree with the conclusions, but that the argument mounted is one which requires serious consideration. If you can't win by sound argument, you probably don't deserve to win at all."

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MOTORING TIMES

Wreck of British supremacy

Times are grim for Britain's ailing sports car industry, Kevin Eason discovers

The struggle for survival of Britain's sports car industry was vividly illustrated in just 48 hours this week. On Monday, Aston Martin Lagonda admitted that it was unable to develop a new sports car without joining forces with the Jaguar Sport team making the Jaguar XJ220 supercar. Simultaneously, Rover opened the order books for its new MG RV8 sports car, a model that comes five years too late and is £10,000 too expensive. On Tuesday, Lotus announced it was scrapping its little Elan model, the car that was supposed to redraw the boundaries of sports car design and re-establish Lotus' position among world manufacturers.

That snapshot in time provides the best illustration of a sector of the world motor business that used to be dominated by Britain.

Whatever happened to the affordable, mass-produced British sports car? Go to any corner of the world and ask a motorist for a definition of two-seater sports motoring and he or she will paint a picture of a model defined by the British after the second world war.

Cars like the MGA, MGB and Midget, the Triumph TR series and Spitfire, and Austin Healey Sprites were small, always stylish and within the purse of the ordinary motorist.

After the débâcle of the 1970s, when the British motor industry all but committed collective suicide, came the austere 1980s and the end of the affordable British sports car, leaving behind only models which floated into overweight, over-priced madasters.

Now the British sports car industry is polarised between the multinational-owned makers of expensive supercars and a cottage industry turning out specialised, hand-built models to order. There is nothing in between.

Nobody seemed to read the writing on the workshop wall



Past and future: MG8s rescued from decay are still numerous, and, right, an artist's impression of Aston Martin's NPX

business that the world was crying out for a return to sports cars.

Perhaps someone should have stood outside Rover's headquarters at Canley, Coventry, with a 20ft-high billboard. Failing that, the message could not have been spelt out more clearly than we wanted our MGs back. While the company was

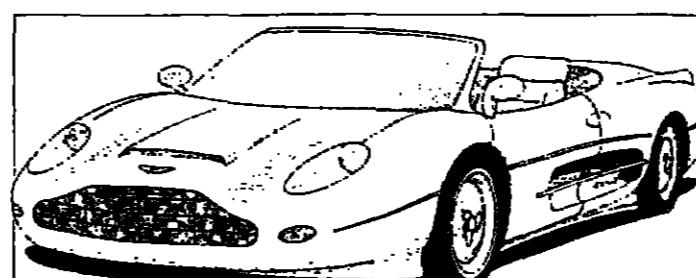
models from the original 500,000 still in circulation.

Not surprisingly, the company's clothes were stolen by the Japanese. While Rover contemplated returning to British sports car roots, Mazda produced the little MX-5 and cleaned up.

Rover will have the C8 ready for the motor show in October and, although welcome, it is too little, too late. At a price of £26,500, it is hardly a "people's sports car", but maybe it will be the first of many good things to come. Speculation is growing that Rover could produce two more MGs within the next two years, at least one of them designed to compete with the MX-5.

For Lotus the story proves that even when owned by General Motors, the world's biggest motor company, you still need the right product at the right time. The Elan may have been a miscalculation as the only front-wheel-drive sports car on the road, but build quality was always suspect and you either loved or loathed the radical looks.

There are no figures to back up the theory, but the MGB must still be Britain's best-selling sports car with a huge number of restored



In the end, the death of the Elan

banishes the name of Lotus to the fringes of the sports car ranges, as it continues to produce its Esprit cars, which cost between £36,000 and £47,000.

Aston Martin is also owned by a multinational, Ford, and will draw on big-company resources to build the new car, codenamed NPX, and due for sale in two years' time. However, most of the design work and manufacture seems to have been turned over to JaguarSport, the company jointly owned by Jaguar and TWR and run by Tom Walkinshaw, the entrepreneur who successfully brought Jaguar back

into sports car racing and who is now running the Benetton-Ford Formula One racing team.

If the NPX is successful, production could reach 625 cars a year, a considerable increase in manufacture of Aston Martin-badged cars, running at 125 this year. But how much will be Aston and how much Jaguar and Ford? And there is still little chance of a car which comes close to the aspirations of the ordinary motorist.

So sales of restored MGs will continue to boom and motorists will continue to yearn for the days of the old Spitfires and frog-eyed Sprites.

Topless in the midnight sun

Driving a cabriolet at midnight while wearing dark glasses against the glaring sun is the most peculiar of experiences. In June on Norway's North Cape, about 1,000 miles north of Oslo and deep into the Arctic Circle, the dream became reality as I drove Saab's newest soft-top offering, the 900s. The midnight sun is warm enough to allow motoring with the top down, despite snow and ice all around.

Against a backdrop of falling vehicle sales, cabriolet models have largely bucked the trend and manufacturers have been falling over themselves to produce soft-top models.

Saab was a relative latecomer, unveiling its first Cabriolet 900 only in 1986. Its popularity took the company by surprise. Within a year, annual orders were nearly 4,000, twice the original forecast, and sales have doubled again.

The Cabriolet 900 now accounts for one in ten of all Saabs. Saab cabriolets sales to the United Kingdom are up by 30 per cent so far this year.

A quarter of the Cabriolets are registered by women drivers, perhaps because the electric hood means no risk of split nails and pinched fingers, the traditional bane of the convertible. The hood powers up and down at the push of a button and the driver need not even leave his or her seat to fasten the two simple catches that hold it.

It sits neatly so as not to hinder rear view and has a glass window with heater element so that cracked and yellowing plastic rear windows covered in frost are a thing of the past.

In spite of its two doors, the 900s is a four seater with ample rear leg room for adult passengers.

Saab has worked hard to ensure the cabriolet does not suffer the shake, rattle and roll that bedevils so many soft tops from manufacturers who simply chop the top off their standard vehicles and hope for the best.

The car was built and designed with the advice of Saab's father figure and former rally ace, Eric Carlsson. As a result, the car is rock steady, thanks to a comprehensive strengthening body.

The 900s has been fitted with a turbocharger to increase performance and improve acceleration

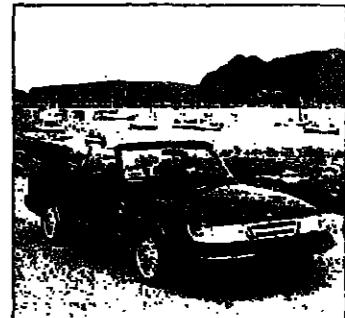
while overtaking, and this latest model fills the gap between the naturally aspirated and cheaper 900i, at £19,250 and the faster sporting 900 turbo at £27,000.

Along the 100 miles of road to the North Cape from the fishing town of Alta, the surface is new and perfectly smooth. The only hazards are free-roaming reindeer, which are involved in 20 per cent of all traffic accidents in Norway.

From May to August, 24-hour daylight makes headlights redundant. Europe ends at North Cape in a 300 metre cliff face dropping down to the Barents Sea. The only traffic jam comprises one Volvo estate car and a German tourist camper van.

Saab claims that a triple thickness hood plus heater make the car perfect for year-round driving.

The real drawback to motoring with the hood down in Britain is traffic fumes. To sweep along an empty road in a convertible is to



Taking the heat off: Saab's 900s Cabriolet

remember that driving can be fun. The sadness is that the jammed roads of Britain turn motoring into a chore, which not even a convertible can turn to pleasure.

● Price: £21,150. Engine: two-litre, four-cylinder, 16-valve with light-pressure turbo, giving 145 brake horsepower at 5600rpm through five-speed manual gearbox and front wheel drive. Performance: top speed 118mph. 0-60mph in 10.5 seconds. Fuel consumption: unleaded, giving 23mpg in town, 37mpg at 56mph and 26mpg at 75mph.

VAUGHAN FREEMAN

CAR BUYERS GUIDE

BMW

318i Luton H reg, red, man, 4 seats, 90bhp, 19,000 miles, £12,995. Tel: 071-782 7038

318i Design convertible, A/C, 1991, 1600 miles, £10,995. Tel: 071-782 4111 day

318i H Grand, MGR, alarm, warranty, CD/CDX, £11,000. Tel: 071-782 53160

318i 4x4 89 F, 6 seats, S/rof, R/C, 1990, 16,000 miles, £12,995. Tel: 071-782 53160

323i Convertible 1989, Zinster, 19,000 miles, £12,995. Tel: 071-782 53160

323i 89 F, 6 seats, S/rof, R/C, 1990, 16,000 miles, £12,995. Tel: 071-782 53160

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323i 89 F, 6 seats, S/rof, R/C, 1990, 16,00

Damages include car hire costs

Mattocks v Mann
Before Lord Justice Nourse, Lord Justice Stocker and Lord Justice Belknap
[Judgment June 11]

The measure of damages awarded to a plaintiff who was obliged to incur hire charges following a road traffic accident could include (i) the cost of hire of a car that was larger than the plaintiff's own and (ii) the cost of hire after completion of repairs pending receipt by the plaintiff from the defendant's insurers of funds to meet the repairer's bill.

The Court of Appeal so held in allowing an appeal by the plaintiff, Wendy Ann Mattocks, from the judgment of Master Miller on March 28, 1991 that assessed the measure of damages payable to her by the defendant, Mrs J. C. Mann. The court ordered the amount in respect of the hire charge to be increased from £2,550 to £4,255.

Mr Simon Browne for the plaintiff; Mr Guy Anthony for the defendant.

LODGE JUSTICE BELKSNP said that the plaintiff's claim arose from the damage to her Peugeot 1.6 GTI two-door motor car caused by the admitted negligence of the defendant. The only issue concerned the measure of damages.

The plaintiff's appeal was based on the refusal of Master Miller to award her the full cost of the hire of an alternative vehicle up to the

time she recovered her repaired Peugeot.

At the time of the accident the plaintiff had a young child and was expecting another. The use of a car was necessary for her. For some 20 weeks she hired a four-door Ford Sierra 1.6L at the rate of £130 a week. Thereafter while her own car was still being repaired, she changed the Sierra for a smaller car, a Nissan Micra, at a cost of £85 a week.

At the hearing, the master accepted the defendant's argument that because the plaintiff had made do with a smaller two-door car for the later period, it was unreasonable of her not to have hired a car of that type over the whole period.

The master had erred. The question he had to ask himself was whether the plaintiff had acted unreasonably in hiring the Sierra at £130 a week.

For the defendant, it was argued that the car that the plaintiff owned was a two-door hatchback; that the Sierra gave her the advantage of four doors; that she could have made do with a two-door vehicle; and that she had acted unreasonably in going for the Sierra. That, it was said, accorded with the principle that the plaintiff was entitled to be put into the position that she would have been in had the accident not occurred.

But the plaintiff owned a car, a top of the range model, that she could, had it not been damaged,

part-exchanged for a larger car. Moreover, it was not possible to argue that by hiring a Sierra for £130 a week, when the cost of hiring an equivalent to her own car would be some £340 a week, she had acted unreasonably.

On that ground of appeal the plaintiff should succeed and her loss for the 20 weeks should be assessed at £2,600.

A further ground of appeal related to a period of hire after completion of the repairs to the plaintiff's car. The repairers had required payment before they would release the vehicle.

The defendant's insurers had failed to provide the plaintiff with a sum to meet the cost of the repairs as they had agreed and the plaintiff herself was not in a position to provide the money.

The defendant had pressed the court to apply the principle laid down by the House of Lords in *The Liesbouch* (1933) AC 449] and to hold that the plaintiff's unreasonableness led to her inability to provide money to pay for the repairs and that was the effective cause of her having to hire a vehicle for some four months.

But the law of damages had not stood still since 1933 and in *Perry v Phillips & Son* [1982] 1 WLR 1297, [1987] Lord Justice Kerr had said that the authority of what Lord Wright said in *The Liesbouch* was consistently being attenuated in more recent decisions.

In the varied web of affairs after an accident, only in exceptional circumstances was it possible or correct to isolate unreasonableness of a plaintiff as a separate cause and as terminating the consequences of a defendant's wrong.

It could not be said that the plaintiff's inability to provide resources to pay for the repairs was the sole cause of her having to incur the hire charges for the additional weeks.

Today, where everyone looked to insurets it could clearly be contended that when repair costs were as substantial as they were then the source of that cost would be the insurers. Looking at the whole history of events it was not possible to say that the plaintiff's inability to meet the costs brought to an end the period of the defendant's liability.

On the contrary, it had been made plain that the insurers would indemnify the defendant. They had instructed an engineer to negotiate and in reliance on that the plaintiff had given instructions to the repairers to proceed. To suggest that when payment from the insurers was not forthcoming the plaintiff herself should therefore bear the further hire charges was unsupportable in the social conditions that now prevailed.

Lord Justice Nourse and Lord Justice Stocker gave concurring judgments.

Solicitors: Ronald Nathan & Co, Finchley, Jacobs.

Law Report June 19 1992

Agreement does not bind company

Russell v Northern Bank Development Corporation Ltd and Others
Before Lord Griffiths, Lord Jauncey of Tullichburn, Lord Lowry, Lord Muzell and Lord Lynn of Haddington
[Speeches 11 June]

A private agreement between shareholders not to increase the share capital of a company without the consent of them all and which did not purport to bind future shareholders, was no more than an agreement as to their manner of voting in a given situation and did not constitute a restriction on the company's statutory power to alter the share capital.

The House of Lords so held in allowing an appeal by the plaintiff, Mr S. T. Russell, a shareholder in Tyrone Brick Ltd, from the order of the Court of Appeal in Northern Ireland [Sir Brian Hunter, Lord Chief Justice and Lord Justice McDermon (dissenting) on April 16, 1991] upholding the decision of Mr Justice Murray to refuse an injunction restraining the other shareholders, the first defendant, the Northern Bank Development Corporation Ltd, and the second to four defendants, Mr E. W. Napier, Mr J. A. Topping and the personal representative of the late Mr K. C. G. McGinn, from considering or voting upon any resolution to create or issue any new share capital in the company, the fifth defendant.

Mr Robert L. McCartney, QC and Mr John Thompson, both of the Northern Ireland Bar, for the plaintiff; Mr F. P. Girvan, QC and Mr W. B. S. Stephens, both of the Northern Ireland Bar, for the defendants.

LORD JAUNCEY said that article 3 of a shareholders' agreement executed by the plaintiff, Mr Napier, Mr Topping, Mr McGinn and by the company provided that "no further share capital shall be created or issued in the company ... without the written consent of each of the parties hereto".

The issue in the appeal was whether article 3 constituted an unlawful and invalid fetter on the statutory power of the company [pursuant to article 131 of the Companies (Northern Ireland) Order 1986 No 1032 (NI 6)] to increase its share capital or whether it was no more than an agreement between the shareholders as to their manner of voting in a given situation.

While a provision in a company's articles which restricted its statutory power to alter those articles was invalid, an agreement

outwith the articles among shareholders as to how they should exercise their voting rights on a resolution to alter the articles was not necessarily so.

In *Welton v Saffery* [1897] AC 299, 331 Lord Davy had accepted that shareholders might lawfully agree *inter se* to exercise their voting rights in a manner which, if it were dictated by the articles and were thereby binding on the company, would be unlawful.

However, the agreement was executed not only by the shareholder but also by the company.

In *Bushell v Faith* [1989] 2 Ch 438, 447 Lord Justice Russell had referred to the proposition that a company "cannot by its articles or otherwise deprive itself of the power by special resolution in alter its articles..."

If clause 3 of the agreement had been embodied in the articles of association so as to be binding on all persons who were or might become shareholders in the company, it would have been invalid but it was not so embodied.

Lord Justice Russell's words "articles or otherwise" appeared to recognise that it was not only fetters on the power to alter articles of association imposed by the statutory framework of a company

which were obvious.

Turning back to clause 3, its purpose was twofold.

The shareholder had agreed only to exercise their voting powers in relation to the creation or issue of shares in the company if they and the company agreed in writing.

That agreement was purely personal to the shareholders who executed it and did not purport to bind future shareholders.

It was just such a private agreement as was envisaged by Lord Davy in *Welton v Saffery*.

The company, on the other hand, had agreed that its capital would not be increased without the consent of each of the shareholders.

That was a clear undertaking by the company in a formal agreement not to exercise its statutory powers for a period which could, certainly on one view of construction, last for as long as any one of the parties to the agreement remained a shareholder and long after the control of the company had passed to shareholders who were not party to the agreement.

As such an undertaking it was as unenforceable as if it had been contained in the articles of association and therefore it was unenforceable as being contrary to the statutory framework of a company

the provisions of article 131 of the 1966 Order.

The company's undertaking was, however, independent of and severable from that of the shareholders and there was no reason why the latter should not be enforceable by the shareholders *inter se* as a personal agreement which in no way fettered the company in the exercise of its statutory powers.

The plaintiff had stated in evidence that he had an objection to the proposed resolutions in themselves but that he wished to establish the validity of clause 3 and was concerned that if further capital were agreed he might be faced with a rights issue without the necessary cash to take it up with the result that his position might be weakened in relation to other shareholders.

In those circumstances it would be inappropriate to grant the injunction sought in his writ and the proper order would be a declaration as to the validity of clause 3 as between the shareholders.

Lord Griffiths, Lord Lowry, Lord Muzell and Lord Lynn agreed.

Solicitors: Sharpe Pritchard for P. A. Duffy & Co, Belfast; Herbert Smith for Carson & McDowell, Belfast.

Limiting libel trial to essential issues

Rechem International Ltd v Express Newspapers plc
Before Lord Justice Neill, Lord Justice Scott and Lord Justice Steyn
[Judgment June 12]

On an application to strike out pleadings in defamation proceedings it was important not to lose sight of the principle that the trial of the action should be limited to the essential issues and to the evidence relating thereto, although nothing should be done to restrict the rights of the Press and the public to report and to comment on matters of public interest and concern.

The Court of Appeal so stated when dismissing an appeal by the defendants, Express Newspapers plc against the order of Mr Justice Drake dated February 8 1991, whereby he ordered the striking out of the defences of justification and fair comment and refused the defendants' application to amend their defences in consolidated libel actions brought by the plaintiffs, Rechem International Ltd, in re

spec of articles published in the *Daily Star* in July and August 1989.

The Court of Appeal gave Express Newspapers leave to place draft amended defences before a judge in chambers for his consideration in accordance with the judgment.

Mr David Eady, QC and Mr Stephen Sutcliffe for Express Newspapers; Mr Desmond Browne, QC and Mr Andrew Monson for Rechem.

LORD JUSTICE NEILL said, in the course of reviewing the general principles and rules governing the striking out of pleadings in defamation actions, that counsel for Rechem had drawn the court's attention to the fourth principle enunciated by Lord Justice O'Connor in *Polly Peck plc v Treford* [1986] QB 1000, 1021:

"The fourth principle is that the trial of the action should concern itself with the essential issues and the evidence relevant thereto and that public policy and the interest of the parties require that the trial

should be kept strictly to the issues necessary for a fair determination of the dispute between the parties."

There had been a great deal of criticism both in appellate courts and more generally about the length of the trial of libel actions and about their cost and complexity. It might well be that in the past insufficient attention had been paid to the importance and relevance of that principle.

On the other hand, it was to be remembered that nothing should be done to impede or restrict the rights of the Press and the public to report and to comment about matters of public interest and concern.

A balance had to be struck between the legitimate defence of free speech and free comment on one hand and on the other hand the costs which might be involved if every peripheral issue was examined and debated at the trial.

Lord Justice Scott and Lord Justice Steyn agreed.

Solicitors: Alan & Overy; Nabarro Nathanson.

Trading losses cannot be used again

Auckland (Inspector of Taxes) v PAVH (International) Ltd
Before Mr Justice Hoffmann
[Judgment June 12]

A company's trading losses utilised to reduce profits charged to tax by assessments that had become final could not be used again to reduce assessments for later years. Subsequent evidence establishing that the earlier assessments were excessive did not enable assessments for later years to be reduced.

Mr Justice Hoffmann so held in the Chancery Division in allowing an appeal by the Crown against a determination of general commissioners for Truro who had reduced corporation tax assessments raised on the taxpayer company, PAVH (International) Ltd, for accounting periods ending in 1981 and 1983.

Section 50 of the 1970 Act provides: "(6) If, on an appeal, it appears to the majority of the commissioners ... that the appellant is overcharged by any assessment, the assessment shall be reduced..."

Mr Launcelot Henderson for

the Crown; the company was represented by a director, Mr Ronald D. Taylor.

MR JUSTICE HOFFMANN said that agreed losses by the company of some £90,000 had been utilised to reduce estimated assessments raised on it for its accounting periods ending 1979 and 1980. A subsequent investigation by the Revenue showed the profits charged for 1981 and 1983

had been overstated. At the hearing of the company's appeal against assessments for 1981 and 1983 the commissioners refused to reopen the 1980 assessment, it having become final, but they determined that they had overcharged the company and that matter could be taken into account in determining the profits for 1981 and 1983.

Solicitors: Solicitor of Inland Revenue.

Judge Lightfoot at Wakefield County Court.

JUDGE LIGHTFOOT said that the plaintiff, involved in a motor accident who had no physical injury but who suffered a nervous reaction falling short of an identifiable psychological illness could not recover damages.

The Court of Appeal (Lord Justice Parker, Lord Justice Leggatt and Sir David Croom-Johnson) so held on April 29, when allowing an appeal by the defendant from the judgment of

Judge Lightfoot at Wakefield County Court.

JUDGE PARKER said that the plaintiff, involved in a motor accident who had no physical injury but who suffered a nervous reaction falling short of an identifiable psychological illness could not recover damages.

It was conceded that for nervous reaction falling short of an identifiable psychological illness there

could be no recovery and that to sustain the judge's award it would be necessary to show that there had been some physical trauma.

It appeared to his Lordship that the present case was plainly one where there was no physical injury and no psychological injury of any sort.

Unless there was physical injury, no question of damages for mental suffering, fear, anxiety and the like arose.

No damages without injury

Nicholls v Rushton

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US trade gap

November 1990

de gap widened by 24.8 per cent in the biggest shortfall since November 1987. The US trade deficit with Japan increased by 1.9 per cent, while imports grew by 1.8 per cent. The highest monthly level for 15 months, with Japan widening its deficit to \$1.1 billion. The surplus with Western Europe fell to \$6.1 million.

More encouraging. New data

brought down to 407,000 from

419,000 a week earlier. The

percentage of consumers buying

at the highest level for two-and-a-half years

suffers slide

in its electronic products group that

turned in pre-tax profit of £5.6 million

per share increased to 1.2p in March

to 1.75p. Sales fell to £110 million

and it is expected to sell its share

development partnership with R&T

Chloride to the US

for less than the sale

to cut 400 jobs

space company based in Belfast

by the end of the year. The reduction

in recession and the imminent

closure of its cargo plane

Shropshire

Ireland. 1,000 more than when

800

a spokesman said it was

voluntary redundancy. Seasonal

redundancies in Northern Ireland rose to 800 in the

workforce in May

buys BTR stake

engineering and electrical cable group

that conglomerate £37 million for

the Delta acquisition, founded in

1958 by the merger of Delta

and Hawker Siddeley. Delta's

shareholder, the remainder of

Hawker Siddeley, Prent

BTR's stake in Delta were £2.7 million

after assets being acquired by

£24.3 million

maintains payout

and the packaging and processing

firm's annual dividend at 3.2p a

handed final of 1.8p, despite after

expenses to £11.1 million, £5.57 million

in second half profits rose to £2.6 million

but failed to fully offset the

the first six months. Earnings fell 1.5 per cent

Operating profits were £3.89 million

and revenue remained at £77.9 million

as a result of the

recession

is battles hard

to win the waste disposal group

a 50 per cent holding, however,

remain stable in an extreme

environment. In the six months to the

end of March, £1.1 million before tax

the first half contribution from the

May 1990. Earnings, however, were

slightly higher, at 1.5p. The income

tempo, as

rs' profit dives

studied at Hawker's a motor distributor

March 31. The profit figure was 5.5p

£1.1 million, 1.5 per cent. However, the

total of property assets are still

£1.1 million. After tax profits of £400,000

the £1.1 million profit from the original

investment down from £1.8 to 1.07 per cent

as a result of the

recession

smiths in the red

is a group. The group's net retained profit

of £1.1 million to a total of £1.3 million

in the group's retained profit

of £1.1 million to a total of £1.3 million

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Bid	Offer	+/-	Ytd	Bid	Offer	+/-	Ytd	Bid	Offer	+/-	Ytd	Bid	Offer	+/-	Ytd	
ADVISER UNIT TRUST MANAGERS																
80.00	80.00	0.00	0.00	80.00	80.00	0.00	0.00	80.00	80.00	0.00	0.00	80.00	80.00	0.00	0.00	
BAA 240 0.54 1.72				CAPELAND UNIT TRUST MANAGEMENT LTD	3 St. George's House, London EC2R 7AB			General	300.10	400.10	+20.00	2.00	For Last Gilt	123.00	123.20	-0.20
Managers	85.29	94.42	+9.13	2.52	CVI 140.023 553231	UK Growth Fund 271.00 200.20	-2.70	3.50	1.70	1.70	0.00	0.00	European Gilt	122.01	130.50	+8.49
Investment	60.22	64.06	+3.84	1.77	1.57	1.50	0.00	1.50	1.50	1.50	0.00	0.00	Global Tech	76.54	82.00	+5.46
Investment	60.22	64.06	+3.84	1.77	1.57	1.50	0.00	1.50	1.50	1.50	0.00	0.00	Health Care	90.03	91.50	+1.47
Global Cfd	54.57	55.75	+1.18	1.56	1.56	1.56	0.00	1.56	1.56	1.56	0.00	0.00	Japan	51.56	51.56	0.00
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Kitting out the office at discount prices

BY DEREK HARRIS

THE second in a projected chain of stores, aiming to sell top-branded office products at discount prices to smaller businesses, has just opened in Colindale, north west London. Computers, software and office supplies, from chairs to paper clips, are being sold at discounts ranging from about 15 per cent to 70 per cent and averaging about a third off.

The chain trades as The Business Superstore and has two American backers familiar with this style of selling in America.

After a year's research into the needs of small businesses, a chain covering all the main conurbations in the United Kingdom is planned.

The first store to open was in Park Royal, west London, three months ago. Martin Nielson, the chief executive, this year expects to have several more stores in London and some in the provinces. Birmingham and Manchester are early targets. Expansion into continental Europe is also planned.

The store's philosophy is to keep costs down by a no-frills approach, although help in choosing products like computer software is at hand and products can be tried out in the store. The stores will concentrate on well-known brands in all the office supplies sectors.

Mr Nielson said: "One of the appeals for manufacturers in selling through us is that we offer

stores especially aimed at the smaller business market and thus offer them the chance of getting a bigger slice of that market."

The aim is to allow the small business to be able to buy top brands at the sort of discounts that until now only larger companies could command because of their high volume buying.

Mr Nielson claims that the superstores have no direct competitors because nobody has such a wide range of discounted goods. There are, however, other operations that discount in a particular sector such as stationery supplies.

MR PRIMAN

ENVIRONMENTAL
PREMIUM
CONDITIONS
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"Oh yes, I'm going green - it'll make a change from just being in the red"

"Oh yes, I'm going green - it'll make a change from just being in the red"

Smoke tempts the taste buds

BY VERONICA HEATH

FOUR years ago, Johnny Cooke-Hurle was farming 220 acres and running a dairy herd on his home farm at Starforth Hall, Teesdale.

The imposition of milk quotas led him to diversify and part with his dairy cows. What set him off on a new task was that as an enthusiastic fisherman he liked the idea of smoking his catch.

Unable to find anybody to do the smoking, he found an old shed, where, having read about how to smoke trout, he rigged some smoking racks. Now he has smokehouse in converted dairy buildings that turns out 200 smoked fish or fowl daily. He rents out 180 acres of his land and farms 50 acres himself.

The dairy buildings have been divided, one end being the smoke room and the other an area for preparation and packing. The Rural Development Commission advised on the dairy conversion. A third of the cost was covered by grants from the Ministry of Agriculture and Durham county council.

Mr Cooke-Hurle employs two full-time staff and works seven days a week himself. The whole family is involved in the business and annual turnover has now run into six figures.

The smokehouse is busiest from October until Christmas, but sales are now running strongly throughout the year as the number of customers has increased. The busi-



Teesdale trencherman: Johnny Cooke-Hurle with a selection of his smoked produce

ness now operates under the banner of the Teesdale Trencherman and personal deliveries are made within a 50-mile radius of Starforth, near Barnard Castle.

Public houses, hotels, delicatessens and private customers take regular deliveries and there is a thriving sideline in smoking customers' own food items. Mr Cooke-Hurle said: "We get some odd

things to do — wild boar, goat, conger eel. One person asked me to try smoking mushrooms, but that was a failure."

Mr Cooke-Hurle is looking for food distributors with their own local outlets so that delivery could be arranged to key central points.

He believes that any farm diversification into a business venture demands a 100 per cent commit-

ment to success. He says lighting fires in the smokehouse is an art and that he has learned to tell, almost as if by instinct, what is going on in the smokehouse.

He said: "I have reached a stage when my subconscious tells me when something in the smoker is ready. The temperature outside is important as well as the direction of the wind."

BRIEFINGS

Succeeding through recession is the theme of the 1992 franchisee of the year award organised by the British Franchise Association. Midland Bank has provided £25,000 sponsorship money with £10,000 in prizes. A £5,000 first prize will go to the winner who demonstrates outstanding achievement based on marketing and financial control during the past 12 months. Two additional prizes of £3,000 and £2,000 will go to runners-up.

Franchisors, whether they belong to the BFA or not, can nominate one franchisee from within their network. There is no entry fee. Completed entries must be submitted by the end of the month for the selection of finalists next month. The six finalists will be interviewed by the panel next month and the winners will be announced in Birmingham on October 1 to mark the opening of the autumn National Franchise Exhibition at the National Exhibition Centre, Birmingham.

□ Information in Welsh for people wanting to set up their own businesses is to be launched in four areas of Wales by Menter a Busnes with funding by Powys TEC and the Welsh Office. The areas are Daffydd, Machynlleth, Carmarthen and Cardiff. Details can be obtained from Hywel Evans (0970) 625561.

EDITOR DEREK HARRIS

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BRIEFINGS

Succeeding through persistence the theme of the 1992 franchise award organised by the British Franchise Association, Midland Bank has made £5,000 sponsorship money a prize. A £5,000 prize will go to the winner of a competition based on marketing achievement during the period. Two additional prize numbers up to £3,000 and £2,000 will be given.

Franchisors, whether they are within one franchisee's entry or a completed entry, may be submitted by the end of next month. The entry forms are available from the British Franchise Association, 100 Newgate Street, London EC1A 7AA, or from the National Franchise Centre, Birmingham.

Information on Welsh franchise business is to be launched in areas of Wales by Monitor, the Welsh Office. The areas of Carmarthen, Neath, Cardiff, Swansea, and Newport, will be obtained from Monitor.

EDITOR DEREK HAG

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Holmes will emerge a rich loser from the clash of the heavyweights

FROM SRIKUMAR SEN
BOXING CORRESPONDENT
IN LAS VEGAS

LARRY Holmes' chances of becoming the first over-40 to regain the world heavyweight championship by upsetting Evander Holyfield here tonight are slim. After all, how can a former champion, twice retired, aged 42, and now a businessman, stand up to a champion in the peak of his career?

But such is the smell of sanction fees that it even makes boxing's world bodies give validity to a contest undertaken by Holmes simply to make money. Such the spell of big-time boxing that despite Holmes having very little strength, stamina and sharpness and is close to running on empty, experts baulk at giving the former champion no chance at all. Perhaps they feel it is best not to rule out the chances of the old man's "smarts" prevailing over the power of the champion 13 years younger.

Businessmen in this town are more realistic. Robert Walker, the race and sports book director of the Stardust, thinks that the bout is bad for boxing. "It's a sad statement

TALE OF THE TAPE	
Holyfield	Holmes
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15st	16st
6ft 6in	6ft 6in
775lb	81st
45in	43in
17in	17in
134in	135in
32in	38in
23in	21in
19in	19in
19in	17.5in
75in	82in
129in	131in
10in	10.5in
RECORDS	
Holyfield: 27 wins (22 inside the distance), 0 defeats	Holmes: 54 wins (37 inside the distance), 3 defeats

when we have to go to a guy who has been beaten to death and has to come out of retirement to fight for the heavyweight championship. What does it say for boxing?

Very little. If Holyfield wins they will say he beat a "bumb". If Holmes wins it will totally devalue the heavyweight title. For Holmes was wiped out in four rounds by Mike Tyson.

But Holmes the businessman, having negotiated a good deal — \$7 million for the purse and another \$3 million for "future rights to services" — is enjoying the scene.

The man who reigned for

seven years as world champion and almost beat Rocky Marciano's record of 49 wins in a row, said: "There's nothing happened in the ring that's not happened to me. I've been hit so bad that the air was sent out of my body. I've been knocked down and I've seen people's cameras flashes. Holyfield hasn't had all that happen to him. How is he going to react when all that happens to him?"

A misshapen Holmes, a bit like the shape of the pregnant man in the anti-smoking advertisement weighed in at 233lb (16st 9lb), 1lb heavier than when he beat Ray Mercer and almost beat Rock Marciano's record of 49 wins in a row, said: "There's nothing happened in the ring that's not happened to me. I've been hit so bad that the air was sent out of my body. I've been knocked down and I've seen people's cameras flashes. Holyfield hasn't had all that happen to him. How is he going to react when all that happens to him?"

Holmes's reply to that is: "I don't need trainers like George Benton. I've been

HOCKEY

Injuries force changes in Olympic build-up

INTERNATIONAL competition returns today to Milton Keynes, where at Woughton-on-the-Green, the British men and women continue their preparation for the Olympic Games (Sydney Friskin writes).

Over the next three days the men will face Egypt, Spain and Germany in a tournament billed as the Milton Keynes Challenge. The women will play France today and on Sunday.

ROWING

Henley avoids Olympic fallout

By MIKE ROSEWELL

FEARS of a smaller than usual Henley Regatta, because of the approaching Olympic Games, were dispelled yesterday when the stewards announced a record entry of 505 crews.

The overseas entry of 89 has only once been surpassed. "Quite extraordinary", was how Peter Coni, the regatta chairman, described the numbers. Qualifying races will be required 11 of the 15 events.

An entry of 53 for the Diamond Sculls will be re-

duced to 16 by qualifying races. Rorie Henderson, who has failed to achieve Olympic selection, spearheads the British challenge. Paul Reedy, of Melbourne University, will be hoping to continue Australia's enviable record in this event and Brendon Dolan, Ireland's new lightweight sculler, who reached the Lucerne final, is also on the list.

The new event for junior quads has attracted 18 entries, one of them from Sweden.

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ATHLETICS

Backley learning how to cope as the pressure increases

By DAVID POWELL, ATHLETICS CORRESPONDENT

STEVE Backley is good at coping with setbacks. Last August he suffered his first humiliation as the world's leading javelin thrower when he failed to qualify for the world championship final.

It was a fall from a considerable height for the International Amateur Athletic Federation's male world athlete of the year — yet he came back to set a Commonwealth record and a world record in the next four months.

Tonight at the TSB Challenge in Edinburgh, Backley begins a sequence of competitions designed to bring him to a peak in Barcelona. "I am pleased with the way everything is going," he said, adding that he had been throwing as far as ever in training.

More important, after shoulder, leg and Achilles injuries in the past year, he is throwing pain free. A torn leg adductor was at the root of his Tokyo failure but, he believes, should not have prevented him from reaching the final. Trying not to worsen his injury, he set himself the target of a distance which he thought

would be enough to qualify, but he underestimated what would be needed.

"It was a hard way to learn, but I am 23 and I have maybe three Olympics and six world championships left, so I can still do a lot of damage," he said. Now that rough-tail javelins have been banned, Backley feels more settled. "There was an element of luck with the rough javelin," Backley said. He, Jan Zelezny and Seppo Räty all set world records with the rough model.

Does that make him the world's best javelin thrower? Not by his reckoning. "To me the best guy is the one who goes out under pressure in the major championships and wins," Backley said. "There is far more credibility to being world or Olympic champion than being a world record holder."

The IAAF yesterday banned Yugoslav athletes from all international competition in keeping with the UN resolutions. Yugoslavia, now consisting of Serbia and Montenegro, was originally barred from international team competition, and the IAAF ban extends that to individual competitors.



CYCLING

Formula to send rebel to Barcelona

RUGBY LEAGUE

Struggling British party loses two more players

FROM KEITH MACKLIN IN SYDNEY

TWO more British players, Paul Loughlin and Les Holliday, are to be sent home from the tour of Australasia because of injury. Loughlin, the centre, has a cracked bone in his right arm, just above a plate and screw which were inserted when he broke the arm last season.

Maurice Lindsay, the Great Britain team manager, said: "Paul is distraught at breaking the same arm twice, but we have tried to reassure him that the break will heal in time for him to start next season with St Helens."

From her training base in Colorado Springs she said yesterday: "I would like to train here as long as possible before the Games but I'm prepared to be flexible."

The pair will be replaced by Steve McNamara, the Hull back-row forward, and David Myers, the Wigan utility back

YACHTING

Peyron in first by a full day

FROM BARRY PICKTHALL
IN NEWPORT, RHODE ISLAND

LOIC Peyron, the 32-year-old French yachtsman swept into Newport, Rhode Island, early yesterday, a day ahead of his nearest rivals, to win the Europe 1 singlehanded transatlantic race.

His 60ft Nigel Irens-designed trimaran, Fujicolor, crossed the TSB Challenge finish line at 12:35 GMT to post a time of 11 days 1 hour 35 minutes and set an average speed of 10.7 knots for the 3,000-mile crossing. This was the first big solo victory for the Peyron, whose previous best performance had been second place in the 1989-90 Globe Challenge non-stop round-the-world race.

Facing the French press on the dockside, Peyron suggested that it was his experience in that race that gave him the winning edge this time. "Four days ago we ran into the area for icebergs. I've been in the ice before and am not worried by it. The conditions were perfect and I pressed the boat hard, probably harder than everyone else."

It resulted in a record run of 351 miles and during those 24 hours the British-designed trimaran averaged 14.6 knots, opening up a 200-mile lead over her nearest rivals. Paul Vatine, aboard Haute Normandie, and Francis Joyon, sailing another British-designed trimaran, Banque Populaire.

Peyron spent three quarters of the race on deck, catnapping for short periods in the small cuddy that provide his only shelter on deck. This preoccupation for driving the boat night and day almost cost him the race last Saturday.

The boat developed a leak around the centreboard. The first I knew of the problem was when the boat began to feel sluggish, pounding heavily into the waves. I went below and found more than two tons of water in the main hull," he said. The electric bilge pump failed to work, forcing him to bucket the water out by hand.

RESULT: 1. *Fujicolor* (P. Peyron, Fr.), 11 days 1hr 35mins; 2. *Haute Normandie* (P. Vatine, Fr.), 207 miles; 3. *Banque Populaire* (F. Joyon, Fr.), 204 miles; 4. *Penhaligon* (J. Bowring, Gt. Britain), 204 miles; 5. *Monohull* (Coccolobo d'Alquarica (Y. Perier), Fr.); 6. *Queen Anne's Battery* (M. Grönroos, Gt. Britain), 204 miles; 7. *Discovery* (A. Wynn-Thomas), 204 miles; 8. *Morgan Gunvital* (A. Tolson), 200 miles.

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Gatting's latest century is rather special

Warwickshire are first battered and then bemused

By JACK BAILEY

COVENTRY (final day of three): Middlesex (21 pts) beat Warwickshire (7) by 226 runs

WARWICKSHIRE will look back to Thursday, June 18 as one of their worst days in the 1992 season. They will think of two names that have been around a long time — Mike Gatting and John Emburey — and one whose career lies largely ahead — Charles Taylor, and they will still wonder how, facing a fourth-innings task of scoring 353 to win on a still good pitch, they collapsed so utterly as to fail to get halfway there, losing their last seven wickets for 24 runs, the last six of these in only 19 balls.

Perhaps it was Gatting who destroyed their spirit. Certainly, he put it severely to the test with his second century of the match, the first time he has achieved such a feat. Carrying on from his overnight 72, he added a further 91 in just over an hour. Gatting scored these runs out of 122 put on with Ramprakash, and an awesome display of hitting it was.

More statistics cannot convey the extent to which he put Warwickshire to the sword.

Century is rued by Cairns

By GEOFFREY WHEELER

RARELY, if ever, can a player have completed a first championship century for his county with the reluctance that Chris Cairns, of Nottinghamshire, showed at Trent Bridge yesterday.

The New Zealand all-rounder made no secret of his belief that it was time for his captain, Tim Robinson, to declare against Lancashire after Cairns and Derek Randall, who also made a hundred, had put their side well over 200 ahead.

After an over in which Cairns hit two sixes against Atherton to reach 91, he began to walk towards the pavilion. But still no signal came. Cairns squatted on the pitch, took his helmet off and put his head in his hands.

When Cairns completed his century and the innings was finally closed, Lancashire needed 300 in 44 overs. Not surprisingly, the game was drawn.

A scintillating innings of 80 in 82 balls from David Gower gave Hampshire just a glimpse of victory over Leicestershire at Grace Road, but they finished 15 short of their target of 309 with one wicket remaining.

Northamptonshire, who could have joined Hampshire at the top of the table by beating Somerset at Bath, set too stiff a target — 324 in 69 overs — to interest Chris Tavaré, who shut up the game after the loss of two wickets to Roberts.

Another five-wicket return from Phil Newport, who has 34 wickets this season, helped Worcestershire to their first victory, although Glamorgan made them fight at New Road. Hugh Morris completed his third century of the season before Tim Curtis reached 1,000 runs as Worcestershire knocked off the 83 required.

Team	P	W	L	D	BI	Prs
Northants (10)	7	5	5	0	15	58
Warwickshire (17)	5	5	12	0	22	73
Essex (1)	0	0	1	0	0	21
Durham (0)	0	0	3	3	21	77
Warwicks (2)	7	4	4	1	19	78
Middlesex (15)	5	5	10	0	19	75
Leics (16)	5	5	5	1	19	71
Gloucestershire (13)	7	4	4	1	19	71
Hampshire (4)	0	0	4	0	0	21
Sussex (11)	7	4	4	1	18	58
Glamorgan (12)	7	1	2	2	18	58
Devon (9)	5	5	4	0	16	57
Surrey (8)	0	1	6	1	17	44

1991 positions in brackets
Worcestershire records included abandoned match

made against bowlers who were doing their level best to get him out. And it was an innings which few others could have played. How far England's loss is a gain for Middlesex may be gauged from the fact that his season's 870 runs have been scored at an average of nearly 117.

There were few thoughts other than of a thrilling chase for runs by Warwickshire when the other two Middlesex bogeymen entered the picture.

Emburey was bowling with a strong cross wind to aid his away drifter and there was enough purchase in the pitch for the odd ball to straighten, and that was too much for the Warwickshire middle order. In ten balls, bowled shortly after lunch, he accounted for Tweste and Oster, and once Taylor had got rid of Reeve, and Lloyd, hustling, had chased a wide ball into the hands of point, the writing was on the wall.

Two good catches round the corner to get rid of Rarcliffe and Piper brought Emburey's haul to five for 23. Taylor polished off the tail as all good young fast bowlers should. The last four wickets had fallen for no runs and Warwickshire went off to vent their spleen in the nets.

Time galore for a concocted finish

By IVO TENNANT

BRISTOL (final day of three): Gloucestershire (5 points) drew with Kent (6)

THROUGH the kind of collusion that has become commonplace and overt since the Test and County Cricket Board deemed it to be acceptable practice, the last day was climactic indeed. Left with all the time they needed to score 341, Gloucestershire finished 69 short, their last pair at the 99.

Two winters ago, when at the end of a contract, Davis discussed with Gloucestershire the possibility of joining them. In footballing parlance, they failed to agree terms. So he stayed with Kent and has since played his part in helping them reach the Benson and Hedges Final.

As for the declaration, it was far from ungenerous, for all Gloucestershire's initial timidity. Athey, given the chance of playing a long innings owing to Hinks' groin strain, managed 33 in 36 overs before Davis lured him down the pitch. Wright had an awful smear at the same bowler, as if conscious that he did not lead them to their target, no one else would.

Most sides that have six wickets intact and, on a pitch of no great turn, 95 to make off the last 20 overs would back themselves even in the Labroke's tent. Gloucestershire would be an exception, lacking as they do, self-assurance as much as an uninhibited lower middle order.

For Davis is no underwood. He took, in fact, as many wickets yesterday as in

all his previous first class cricket this season. Hooper was on before him in both innings. Yet by dint of cussed perseverance, a little flight and the support of his close field, Davis returned the best figures of his career, seven for 99.

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That proved to be the case.

For all Hodgson's imperturbability and some exuberant hitting from Alleyne, his pulls and drives off Hooper brought the asking rate back into perspective until, having reached 69, he sliced Davis to a boundary point.

No doubt Alleyne had been expected to do too much. Scott spent 33 overs making 27 and when he and Wright were out in the first of the last 20 overs, Kent began to crowd the bat. Hancock went leg before to Davis, sweeping with the spin, and Hinks, batting with a runner, was taken at silly mid-off. Somehow the last pair blocked the final seven overs.

Gloucestershire have sent an official letter severely rebuking their seamer, Andy Babington, after a ball-hurting incident in a Sunday League game at Swindon at the weekend.

Second Innings

A J Hobbs c Weekes b Taylor

R G Tavaré c Weekes b Taylor

-T A Lloyd c Haynes b Emburey

D P Oster c Carr b Emburey

P A Smith c Weekes b Taylor

J D Ratcliffe c Gartside b Emburey

H J Pipe c Weekes b Emburey

M A Rosebery c Smith b Taylor

M A Rosebery c Weekes b Taylor

Extras (b, nb, 1) 269

Total (2 wkt dec) 269

FALL OF WICKETS: 1-24, 2-144, 3-216, 4-512, 5-212, 6-216, 7-228, 8-244, 9-248

BOWLING: Donald 5-2-14-0; Scott 5-1-9-1; Smith 6-0-34-1; Twose 11-1-97-1; Wright 5-1-10-1; Babington 5-1-25-1; Booth 13-1-95-1; Lloyd 7-1-260

WORCESTERSHIRE: First innings 251 for 3 dec (T A Lloyd 5-1-50-5)

Second Innings

A J Hobbs c Weekes b Taylor

R G Tavaré c Weekes b Taylor

-T A Lloyd c Haynes b Emburey

D P Oster c Carr b Emburey

P A Smith c Weekes b Taylor

J D Ratcliffe c Gartside b Emburey

H J Pipe c Weekes b Emburey

M A Rosebery c Smith b Taylor

M A Rosebery c Weekes b Taylor

Extras (b, nb, 1) 269

Total (2 wkt dec) 269

FALL OF WICKETS: 1-38, 2-60, 3-72, 4-128, 5-118, 6-128, 7-128, 8-128, 9-128

BOWLING: Taylor 5-1-10-1; Williams 6-1-24-0; Emburey 11-2-13-2; Foster 7-0-25-0

Umpires: J C Balderstone and V A Holder

Yorks v Essex

HEADINGS (final day of three): Yorkshire (21 pts) beat Essex (2) by 226 runs

ESSEX: First innings 223 (M A Robinson 4 for 5 dec (T S Curtis 124, G R Haynes 66, O A Leathard 66, S R Lampitt 50))

Second Innings

P J Pritchard c Blythe b Robinson

J P Stephenson c Blythe b Gough

N V Knight c Blythe b Robinson

N Hussain c Blythe b Robinson

P Such run out

M A Leathard c Blythe b Robinson

T M A Gammie c Kelleher b Gough

A A Foster c Blythe b Robinson

M C Ilett c Blythe b Robinson

J A Chikoti c Blythe b Gough

Extras (b, 2, 1b, w, nb, 1) 14

Total (5 wkt dec) 147

FALL OF WICKETS: 1-1, 2-73, 3-88, 4-102, 5-102, 6-102, 7-102, 8-102, 9-102

BOWLING: Blythe 10-2-10-2; Curtis 10-2-10-2; Gammie 10-2-10-2; Foster 10-2-10-2; Ilett 10-2-10-2; Leathard 10-2-10-2; Hussain 10-2-10-2; Chikoti 10-2-10-2

Umpires: D R Tidmarsh and R A White

Worcestershire v Glamorgan

WORCESTERSHIRE (final day of three): Warwickshire (21 pts) beat Glamorgan (2) by 8 wickets

WORCESTERSHIRE: First innings 407 (4 for 5 dec (T S Curtis 124, G R Haynes 66, O A Leathard 66, S R Lampitt 50))

Second Innings

T S Curtis c Blythe b Robinson

J P Stephenson c Blythe b Gough

N V Knight c Blythe b Robinson

N Hussain c Blythe b Robinson

P Such run out

M A Leathard c Blythe b Robinson

T M A Gammie c Kelleher b Gough

A A Foster c Blythe b Robinson

M C Ilett c Blythe b Robinson

J A Chikoti c Blythe b Gough

Extras (b, 2, 1b, w, nb, 1) 14

Total (5 wkt dec) 140

FALL OF WICKETS: 1-2, 2-34, 3-45, 4-53, 5-62, 6-73, 8-80, 9-91

BOWLING: Blythe 10-2-10-2; Curtis 10-2-10-2; Gammie 10-2-10-2; Foster 10-2-10-2; Ilett 10-2-10-2; Hussain 10-2-10-2; Chikoti 10-2-10-2

Umpires: D R Tidmarsh and R A White

Leics v Hants

LEICESTERSHIRE (final day of three): Warwickshire (21 pts) beat Hampshire (2) by 8 wickets

LEICESTERSHIRE: First innings 392 (3 dec (P A Nixon 107 not out, L. Porter 98, W. M. Morgan 71, N. E. Blythe 60))

Second

HUGH ROUTLEDGE

Pakistan's bowlers seize control at Lord's

England slump after making a perfect start

BY ALAN LEE, CRICKET CORRESPONDENT

LORD'S (first day of five; England won toss; Pakistan, with all first-innings wickets in hand, are 224 runs behind England)

SHORTLY after lunch at Lord's yesterday, England were proceeding with a serenity which suggested the Pakistani bowling held none of the promised terrors. Shortly after tea, the illusion was shattered, and this second Cornhill Test adopted a course which will not easily be reversed.

From 123 without loss, England plumped to an inadequate 255 all out. The legacy of a commanding opening stand between two players at the peak of their form was a chaotic collapse, initiated by Wasim Akram but executed with ruthless aggression by Waqar Younis.

ENGLAND'S CRICKET BOARD							
England won toss							
ENGLAND: First Innings							
	6s	4s	2s	1s	Min	Balls	9s
G A Gooch b Wasim Inside edge onto leg stump	69	0	13	132	98		
A J Stewart c Javed b Mushtaq Upper edge to mid on	74	0	12	240	173		
G A Hick c Javed b Waqar Sliced attempted pull to mid on	13	0	1	39	21		
R A Smith c sub (Rashid) b Wasim On face to bat to third slip	9	0	2	23	19		
A L Lewis b Waqar Fast off cutter	30	0	5	74	66		
I Botham b Waqar Inswinging yorker	2	0	0	14	8		
C C Lewis lbw b Waqar Inswinging yorker	2	0	0	9	12		
T C Russell not out	22	0	3	55	38		
P A DeFreitas c Inzamam b Waqar Angled bat; low to second slip	3	0	0	28	22		
I D K Salisbury hit wkt b Mushtaq Right foot onto bat onto off stump	4	0	1	4	5		
D E Malcolm lbw b Mushtaq Fading up	0	0	0	7	3		
Extras (b 6, lb 12, nb 9)	27						
Total (322 min, 71 overs)	255						
FALL OF WICKETS: 1-123 (Stewart 54), 2-133 (Stewart 54), 3-172 (Stewart 82), 4-177 (Lamb 13), 5-213 (Lamb 23), 6-221 (Lamb 26), 7-232 (Russell 6), 8-242 (Russell 13), 9-247 (Russell 14).							
BOWLING: Wasim 19-5-49-2 (nb 9) (9-1-27-1, 10-4-22-2); Aqib 14-3-40-0 (nb 2) (6-1-19-4, 5-1-12-0, 3-1-9-0); Waqar 21-4-51-5 (5-1-25-0, 7-3-35-1, 9-3-31-4); Mushtaq 19-1-67-2 (3-0-16-0, 18-1-41-2); Mushtaq 33-0-1 (1-0-1, 2-0-1).							
INTERMEDIATE SCORES: 50 in 57 min, 15.4 overs, 100 in 113 min, 26.4 overs. Lunch: 108-0 (Gooch 57, Stewart 38), 29 overs. 150 in 173 min, 40 overs. Tea: 197-4 (Lamb 13), 52 overs. 200 in 243 min, 58.1 overs. 250 in 316 min, 73.1 overs. Innings closed at 5.22.							

PAKISTAN: First Innings

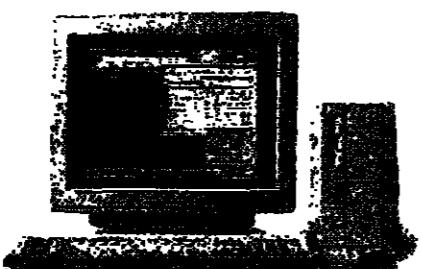
PAKISTAN: First Innings							
	6s	4s	2s	1s	Min	Balls	9s
Aamer Sohail not out	10	0	2	32	23		
Ramiz Raja not out	20	0	4	32	20		
Extras (nb 1)	1						
Total (no wkt, 32 min, 7 overs)	31						

Asif Mushtaq, Javed Miandad, Salim Malik, Inzamam-ul-Haq, Wasim Akram, Moin Khan, Mushtaq Ahmed, Waqar Younis and Ajib Javed to bat.

BOWLING: DeFreitas 4-2-1-0 (nb 1); Malcolm 3-0-30.

Umpires: B Dudson and J H Hampshire.

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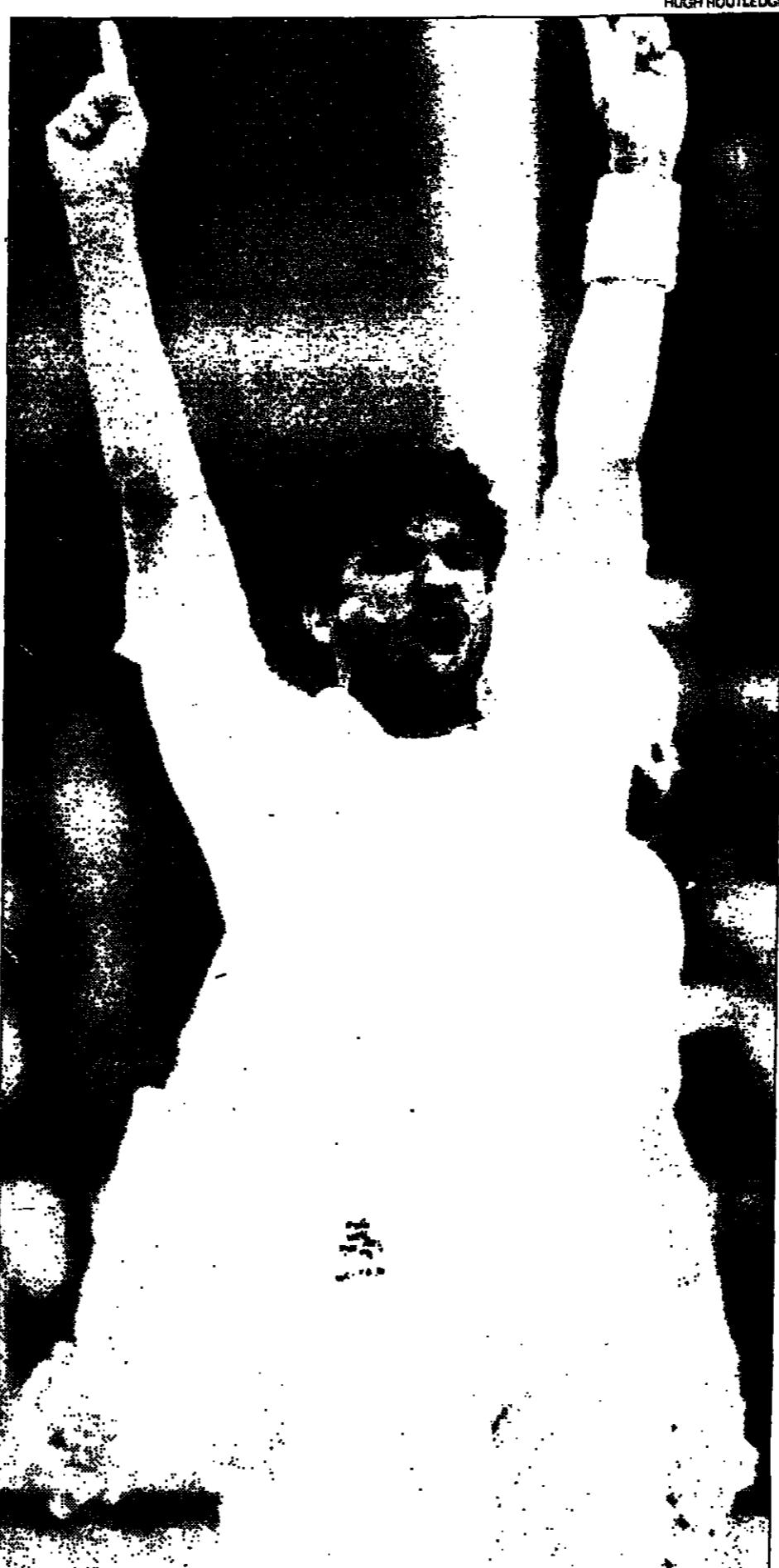
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Hitting the target: Waqar Younis shows delight after dismissing Botham

Waqar the modern master of yorkers

JOHN WOODCOCK

AT lunchtime yesterday, in the second Test match at Lord's, the Pakistanis were very far from grunted. Another slow pitch of the sort to draw the teeth of their fine fast bowlers: umpires who could be persuaded to give nothing out: England with 108 for no wicket on the board: things could hardly have been worse. The recovery which Pakistan staged was based on cricket of the highest class.

Alkram struck again in the ninth over of a persevering spell, slanting the ball across Smith's rigid defensive stroke and having him well caught, low down at third slip. Now, much depended on Stewart but in the last over of the session, with a fifth hundred in six Tests in sight, he drove at Muttiah without getting to the pitch and was caught by Mianbad at extra cover.

The afternoon had thus been taken by Pakistan as conclusively as had the morning by England. The destiny of the evening session was in doubt only for as long as it took Waqar to destroy what remained of England's middle order.

Botham and Lamb were bowled playing loosely and Lewis departed hopping, having been hit on the foot by the trademark Waqar yorker. When DeFreitas steered a now rampant Waqar to second slip, it was left to Mushtaq to mop up a tall which Russell had tried manfully to sustain.

Seven overs remained for England to claw back some lost ground. They had the chance, too, but Botham put down a hot catch at gully when Ramiz slashed at the wayward Malcolm, and the day ended with Pakistan in enviable control.

It may well be that the

rule allowing only one bouncer an over will not survive next month's annual meeting of the ICC. West Indies, as you would expect, are strongly opposed to it. But it will not prevent the better side from winning the present series, any more than it prevented South Africa from beating India in Barbados in April, or Australia from beating India in Australia last winter, or England from winning their Test series in New Zealand, or Pakistan fighting back as they did yesterday.

Glad enough to be asked to field, on an overcast though not humid morning, Pakistan made a strangely muted start, and it had nothing to do with this bouncer rule.

They broke through when they did by pitching the ball up, bowing no more than half a dozen short ones all day. Wasim Akram began as though what had been sufficient, since he came

out of plaster to bowl out Nottinghamshire and Northamptonshire would do no good. Gooch and Stewart, both playing particularly well, was nothing like enough.

Waqar never quite got into his stride. But how

Waqar did! He, too, began tentatively, as though putting his injured back to the test. His first spell cost 25 runs and brought no alarms. Starting the sixth over of his second spell, and 90 minutes later, he had taken nought for 49. The game needs great fast bowlers, as it needs great batsmen, wherever they come from, and I was worried lest it had lost one.

Then, suddenly, it all came right. First Waqar beat Hick for speed, and then he produced such a succession of yorkers that no one's toes were safe. I was reminded of Frank Tyson in Australia in 1954-55, when he tormented Australia's batsmen with yorkers. It was no disgrace to be bowled out by Tyson then, nor by Waqar now.

Taylor, in my opinion, has

Thompson makes his last fling abroad

DALEY Thompson, the world record holder and twice Olympic champion, will make one last effort to compete in his fifth Olympics by contesting a decathlon abroad before the British team for Barcelona is picked a week on Sunday (David Powell writes). He must obtain an Olympic qualifying score of 7,850 points to be

decathlon since the Seoul Olympic Games four years ago, when he was fourth. "By Barcelona I could be in with a chance of a silver medal." Thompson said last month. He thought Dan O'Brien, of the United States, would be too good for him.

Thompson's regrets, page 31

This course requires a wind to strike terror into the hearts of the professional, and the benign conditions appeared to give the early starters a distinct advantage over those out later, including Nick Faldo, the championship favourite, Ian Woosnam, Steven Richardson, Bernhard Langer, Colin Montgomerie, José María Olazábal, Howard Clark, Anders Forsbrand and Ballesteros.

Rafferty took advantage at the 6th, splashing out of a bunker to within 18 inches, and the 7th. This is the hole on the hill which looks over the ocean. Without a wind, the hole is a breeze, and Rafferty became the fifth

player in succession to make a two there when he coaxed the ball in from six feet. But Rafferty gave a shot back at the 9th.

Sandy Lyle enjoyed an adventure at the 2nd, escaping with a par after hitting his second shot into a deep hollow.

The Scot drove into the trees at the 3rd, but he still made a birdie by holing from 18 feet. He was further encouraged by another birdie at the 6th, and kept the momentum with a third at the 7th.

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